

UNITED STATES OF AMERICA

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DEPARTMENT OF THE ARMY

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US ARMY CORPS OF ENGINEERS

+ + + + +

PUBLIC MEETING

+ + + + +

Thursday,
June 5, 2008

The public meeting was convened in the Atrium Ballroom of the Washington Court Hotel, 525 New Jersey Avenue, N.W., Washington, D.C., pursuant to notice, at 8:30 a.m., Mary Apostolico, facilitator, presiding.

COMMENTS MADE BEFORE:

MARY APOSTOLICO, Facilitator
JOHN PAUL WOODLEY
MAJOR GENERAL DON T. RILEY
STEVE L. STOCKTON
LARRY J. PRATHER
BEN GRUMBLES

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COMMENTERS :

GERRY GALLOWAY
MARK CARR
APRIL H.G. SMITH
AMY LARSON
TOM TEETS
STEVE FITZGERALD
HARRY SIMMONS
JOHN BURNS
DAVID CONRAD
G. EDWARD DICKEY
CHAD BERGINNIS
THOMAS VANLENT
BOB WEAVER
JANE ROWAN
JASON ALBRITTON
MELISSA SAMET

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1 P-R-O-C-E-E-D-I-N-G-S

2 8:30 a.m.

3 FACILITATOR APOSTOLICO: Good
4 morning. My name is Mary Apostolico and I'm
5 going to be the facilitator today. I don't
6 have a microphone on. We won't need that.
7 Will we have a microphone. I tend to project
8 very well without a microphone.

9 Okay, again my name is Mary
10 Apostolico and I'm with SRA International.
11 And I'm repeating this so that it can be
12 transcribed. And I am going to be helping you
13 facilitate today, the public meeting.

14 Again, this is -- this meeting is a
15 listening session to get your comments and
16 feedback and just wanted to let you all know
17 that the panel here will be actively listening
18 to you and not engaging in discussion.

19 I'm going to go through the process
20 today with you. First a few little logistic
21 things so you know where things are.

22 There's water outside. The

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1 facilities are out the door and to your left
2 and all the way around. If you need to leave
3 quickly, the building, if you -- there's -- if
4 you come out the door, turn right there's an
5 exit right on your right. Just about 20 feet
6 from outside the door.

7 The process for today. We are
8 having two lotteries to have public comment.
9 The first one ended at 8:30 a.m. today. What
10 we're going to do is draw names now for the
11 order in which people can speak. If people
12 arrive after 8:30 a.m. there will be a wait
13 list and if there's time we're going to
14 incorporate those people in to further comment
15 later this morning in this session.

16 For each session you will be
17 allocated approximately ten minutes. Your
18 time allotment -- how we're going to do it is
19 we're going to post a list up here on the
20 overhead. It will show who the speaker is and
21 who the next two speakers are. So we ask that
22 you just be prepared and as you see your name

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1 make your way up so that you are ready to come
2 up and speak.

3 If you are not selected in the
4 morning lottery -- which I think everyone will
5 get in today. But if you are not selected in
6 the morning lottery you will automatically be
7 entered into this afternoon's lottery. And
8 this afternoon's lottery to sign up will close
9 at 1:00 p.m.

10 General ground rules for today,
11 just so that everyone can be heard. Please
12 turn off your cell phones, pagers,
13 Blackberries, or at least put them onto mute.

14 Again, panelists are here to listen
15 to your ideas not to engage into discussion.
16 One person is permitted to speak at a time.
17 Selected speakers will be allocated the ten
18 minutes. And a speaker may only speak once
19 today. Speakers cannot transfer or yield
20 speaking time to another speaker.

21 Reminder that this is being
22 transcribed to ensure your comments are

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1 documented correctly and members of the press
2 and others can listen to comments presented
3 during this meeting via teleconference and
4 that's why you do need to use the microphones
5 because it's being projected through the
6 teleconference through the microphone system.

7 Again, written comments are due by
8 close of business today. The address and
9 email is provided in your handout and on the
10 agenda.

11 Any questions on logistic?

12 (No audible response.)

13 FACILITATOR APOSTOLICO: Okay
14 great. I'm now going to introduce, as you all
15 know, the Assistant Secretary of the Army for
16 Civil Works, the Honorable John Paul Woodley,
17 Jr.

18 SECRETARY WOODLEY: Good morning
19 everyone and welcome to our public meeting
20 referring to the revision that's taken place
21 of the principles and guidelines for water
22 related land resource implementation studies

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1 for the Corp of Engineers.

2 I'm delighted to see this very good
3 turnout although I've asked Larry Prather if
4 we couldn't get a refund if we moved to one of
5 local -- smaller rooms downstairs. He said
6 that train has already left the station. But
7 I very much appreciate everyone coming.

8 I will say that I had the privilege
9 along with General Riley of attending for
10 about the last ten days the conference, the
11 annual general assembly of PIANC, the
12 Permanent International Association of
13 Navigation Committees, of which I am the Chair
14 of the U.S. section. Joan Riley is President
15 of the U.S. section ex-officio and that was
16 held in Beijing, China and was then followed
17 by a working cruise through the Three Gorges
18 Dam and up the Yangtze River as far as
19 Changking.

20 And as a result -- it is now -- I
21 have had a little time to recover. But it is
22 now 8:35 p.m. on my body clock and right about

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1 lunch time it will be midnight. And so I
2 don't know exactly how interactive I am. I
3 could be even -- if that was called for on the
4 format. But I am carefully listening to
5 everything that is said and I'm really very
6 pleased that we have this opportunity and this
7 very extensive representation of some of the
8 most thoughtful people in the country in the
9 area of water resource development.

10 We take the responsibility given us
11 by Congress to conduct this revision on a very
12 short time frame very seriously and we are
13 soliciting and even in spite of the short time
14 frame we want to make every effort to solicit
15 in every possible way the input of interested
16 persons and the ideas of the communities that
17 are interested which really amounts to
18 virtually every community in the country, and
19 so in aide of that, in addition to our very
20 extensive opportunities that we are providing
21 now and in the future for written comments to
22 be accepted General Riley and I thought that

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1 there is no substitute for actually having the
2 people that are going to be -- have the
3 responsibility for moving this process forward
4 sit in front of you and make ourselves
5 available personally to listen to the points
6 of view and to have an opportunity for people
7 to state their concerns and their ideas and
8 bringing forward their ideas in a open and
9 public forum.

10 And so we got a public place. My
11 thought was that we would do it in our -- at
12 our headquarters. Not too far from here. But
13 I realized -- we realized after thinking about
14 that that you know, that is a Government
15 building that we share with GAO and people had
16 to be checked into it, you know and you had to
17 go through a metal detector and what not. And
18 just -- we wanted to make sure that we were in
19 a venue that was as open to any person who
20 cared to attend as we could make it.

21 And so we -- you know got an
22 ordinary hotel room here and where -- I wasn't

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1 checked by anybody coming in and I don't think
2 anybody else was. Whoever wants to can be
3 here and if you want to be here then you're
4 more than welcome.

5 The principles and guidelines
6 essentially are the Federal Government's
7 statement of what we will be looking for as --
8 in designing and evaluating water resource
9 development projects for years to come. And
10 they will be -- once they are in place they
11 will be used by water resource development
12 planners across the country and around the
13 world to determine what their views are as to
14 what values are -- we're seeking when we seek
15 to invest in water resource development.

16 As such they are perhaps the most
17 important document that we have -- that's
18 peculiar -- in this case right now the one's
19 we're operating under are not peculiar to the
20 Core of Engineers. Congress has decided that
21 they want to establish a set of principles and
22 guidelines peculiar to the Corp of Engineers.

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1 That's certainly a departure from prior
2 practice. But you know the one that will
3 result in a document that will still be --
4 even though it will not concern itself with
5 other agencies it will still be a very
6 important and influential document across the
7 Government.

8 And so I welcome you and in
9 addition to welcoming you I want to think you
10 for bringing forward your ideas and comments.

11 For criticizing the current state of affairs
12 that we have in the principles and guidelines
13 that exist and for describing for us how you
14 believe these can be improved through this
15 process.

16 And so I want to, at this time turn
17 the mike over to General Don Riley. Most
18 people I guess know that General Riley, having
19 served as the Director of Civil Works for the
20 Corps of Engineers for some time and my having
21 the really wonderful privilege of working with
22 him in that capacity, has recently been given

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1 more broad responsibilities as the Deputy
2 Commanding General of the entire Corps of
3 Engineers. And we're very proud of that.

4 But since no one has yet been named
5 to replace him in his former capacity we still
6 have been able to prevail on him to help us
7 with this process and I'd like to recognize
8 him for any comments that he's like to make.

9 MAJOR GENERAL RILEY: Thank you,
10 Mr. Secretary. And I returned from China last
11 Friday so I've got a few days on the
12 Secretary. And I think it's not that --
13 because I haven't been replaced in my old job,
14 it's not that Steve and Larry need more
15 supervision. I think they are in good shape.

16 As you know these principles and
17 guidelines have been around since 1983. So
18 it's, it is time to take a considered look and
19 of course we've had direction from Congress in
20 the last word or two to revise those.

21 And there's really three major
22 components. The principles and standards and

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1 then the procedures. And what we're really
2 about right now is taking a look at the
3 principles and standards, those broad values
4 in the principles which really set out a very
5 general selection or recommendation criteria.

6 And then the standards, how we
7 carry forward with the planning to informed
8 decisions.

9 What we want to do is establish
10 those principles and standards and then the
11 procedures, the more detailed procedures. How
12 you calculate benefits. That will be
13 secondary to this effort and we'll have even
14 more dialogue as that goes on.

15 So we're really focused right now
16 to establish those principles and standards
17 and agree on those national objectives.

18 You know this has been a long
19 process and really has been a national
20 dialogue going on for at least ten years now.
21 You could even go further back than that. And
22 you know in 1986 Section 1135 established

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1 ecosystem restoration as a mission in the
2 Corps.

3 So we've had that dialogue and that
4 increased our mission. And then -- and that
5 was really pretty significant difference from
6 the 1983 principles and guidelines just three
7 years later.

8 So that dialogue has been going on
9 now for over 20 years. Then in the WRDA of
10 2000, the Section 216 requested or directed
11 the National Academies to do a series of
12 studies on our planning guidelines.

13 I know Dr. Galloway, you were part
14 of that. There may be others in here who were
15 part of that effort as well to. But we've
16 counted a total of 18 National Academy reports
17 in the last -- since 1992 that have made
18 recommendations.

19 So this dialogue is something we
20 have not just begun this year. It is been
21 ongoing and we have incorporated many of those
22 National Academy guidelines, those Section 216

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1 reports into our regulations so far.

2 And in addition to that, two years
3 ago in the Appropriations Act they required
4 the National Academy of Public Administration
5 to do a study on our planning and how we
6 budget for our process. So that also
7 contributed to the dialogue.

8 And then as you know, for the last
9 WRDA which took many, many years to pass there
10 was a great deal of dialogue on that and
11 direction from Congress that targeted our
12 planning process.

13 So there has been -- this effort
14 which you hear, see today is a public meeting
15 or a hearing where we'll listen to your input.

16 We've been listening for at least ten years,
17 probably closer to 20 if you go back to '86
18 when they changed the direction in Section
19 1135.

20 I don't want to engender my -- I'm
21 not looking to get April's friendship here
22 from the Audubon Society or to shock any of

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1 our developmental friends. But back when I
2 was commander of the Mississippi Valley
3 Division the Sand County Foundation up in
4 Wisconsin gave me a book that was Aldo
5 Leopold's Sand County Almanac.

6 Also part of that was the land
7 ethic, the essay he wrote back in -- I believe
8 it was in the 40's. But he talks about land
9 ownership in that essay and the responsibility
10 of land owners to be good stewards of their
11 land. And they recognized at the end how
12 development will continue to occur.

13 And his closing line in that essay
14 was "We shall hardly relinquish the shovel,
15 which after all has it's many good points"
16 and he went on to say that "but we are in need
17 of gentler and more objective criteria for
18 it's use."

19 So I would submit to you that what
20 we're about today is trying to achieve that
21 vision that he had a little gentler, more
22 objective criteria for the use of the Corps of

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1 Engineers in our Civil Works program.

2 For instance, we think we consider
3 public safety as a prime planning objective
4 and in addition to that we want to look at
5 systems. We don't want to look at a project
6 by project basis. We want to make sure it's
7 system. When I think of systems I think of
8 space, function, and time.

9 Space in our context is being a
10 water shed. Function, being multi-purposed
11 projects, there's not just a navigation
12 function or an ecosystem function or a flood
13 control function. Those are Corps of
14 Engineers. There could be other functions
15 outside the Corps or any other Federal agency
16 functions, air quality, water quality, water
17 supply. So multifunction approach and then
18 time.

19 When I speak time I talk of a life
20 cycle of a project. So we don't want to plan
21 for a project, throw it over the transom, turn
22 it over to the owners and forget about it. We

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1 want to plan for the life cycle of that
2 project and then adaptation over time to adapt
3 to changing requirements.

4 And then also because of that life
5 cycle approach that we take there is an
6 uncertainty involved with that and your
7 uncertainty increases the greater the length
8 of your life cycle. And there's a risk
9 inherent to that. There's public risk, but
10 there's risk to ecosystem and there's risk to
11 making the wrong choice.

12 So in our planning guidance we want
13 to talk about that risk and uncertainty and
14 what is the uncertainty that you have and then
15 what's the risk of making the wrong selection.

16 So it gets a little -- it's not --
17 as Also Leopold say more objective we have a
18 pretty objective approach right now if you
19 think about it. I mean benefits costly, we
20 seek the point of diminishing returns and say
21 that's a national economic development. We
22 want to broaden that though to in this

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1 process.

2 So, as you know and you've probably
3 heard the Executive Branch, we're working on a
4 lot of that right now and we put together some
5 thoughts that we've coordinated with some of
6 the -- with all of our other agencies partners
7 and they are taking a look at those thoughts
8 right now.

9 And there will be opportunities for
10 more conversations after this certainly with
11 the principles and guidelines, but even more
12 importantly with the -- or more -- further on
13 down the road with the procedures that I
14 talked about earlier.

15 So as Mary said we're here to
16 listen. If we engage in dialogue it will be
17 to ensure clarity of your thoughts. We won't
18 engage -- we want to have a reasoned, well
19 thought out logical response. So we're not
20 going to respond off the cuff today but we
21 will have -- we may ask questions to ensure we
22 fully understand your comments and what that

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1 means and all of the second and third order
2 effects it might have in the Federal
3 Government.

4 So thanks to everyone who is
5 participating today and joining us. I know
6 some will be in later this afternoon because
7 of flight delays or travel delays, but we
8 appreciate your time and think this is an
9 important effort for us all to be involved in.
10 Thank you.

11 SECRETARY WOODLEY: Thank you,
12 John. I would like to recognize that we are
13 joined here today by Ben Grumbles, the
14 Assistant Administrator for Water at U.S. EPA
15 who is a very important partner in all of
16 these endeavors and I'd like to ask if Ben
17 would like to say a few introductory remarks.

18 MR. GRUMBLES: Thanks JP, I just
19 really appreciate the chance to be here and
20 most importantly the welcome you have placed
21 and given to EPA to be very much a part of
22 this process along with other agencies.

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1 But I feel the partnership that we
2 have and the ongoing relationship is key to
3 this. You have a very ambitious schedule on a
4 very important task and I want to thank you
5 personally and I think commend others in
6 Congress for moving this along. It's an
7 important effort. EPA is very much involved
8 in it.

9 Four years ago I think you and I
10 were beginning that process when we entered
11 into a Memorandum of Agreement embracing
12 watershed management and stronger
13 collaborations among our two agencies. And
14 this is a natural progression of that in the
15 planning and project selection process.

16 So EPA really values the efforts
17 here. We see this as critical to the advance
18 of watershed and systems approach and also
19 increasing challenges from storm water and a
20 regulatory and policy standpoint, it's going
21 to be very important in this whole effort.

22 And so the principle of adaptive

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1 management, finding ways to also continue to
2 integrate that into your process is in the
3 Civil Works program and project selection is
4 important and we're willing and eager to be
5 part of the effort.

6 We agree with you, this is a
7 climate of opportunity to embrace some
8 improvements and change and I just thank you
9 for it JD.

10 SECRETARY WOODLEY: Okay, we are
11 then ready if -- Larry, you would like to give
12 us an introduction to your efforts, a general
13 overview and time line for the process that we
14 are currently undertaking and then at that
15 point we will be ready to proceed with public
16 comments.

17 MR. PRATHER: Thank you, Mr.
18 Secretary. I just want to briefly recognize
19 the other Federal partners that are here today
20 just by name.

21 Nick Marathon from the Agricultural
22 Marketing Service, representing USDA. Bob

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1 Wolf from the Bureau of Reclamation, our
2 Department of Interior Representative. Karl
3 Stock from -- are you from Denver, or from the
4 bureau in Denver. We have Terry Breyman from
5 the Council on Environmental Quality as
6 Associate Director in Natural Resources there.

7 Ben Simon in the back row from Interior, from
8 the Office of Policy, and my good friend Greg
9 May who used to be Commander of the
10 Jacksonville District and now with the
11 Department of Interior and Staff Director for
12 the South Florida Task Force, so -- and who
13 has been very helpful to me in this effort. I
14 want to say very helpful indeed and I
15 appreciate my friendship with him.

16 So, did I miss any other Federal
17 representatives -- oh, there's Ken Kopocis. I
18 need to say hi Ken Kopocis who works for the
19 committee on transportation at the House of
20 Representatives and you know marched many
21 miles with Ben Grumbles here over the years.

22 So thanks for being here Ken, we appreciate

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1 your support.

2 I just want to say that it's hard
3 for me to get a group together to listen to
4 me. I think I remember when I was, you know
5 out in Cincinnati they asked me to go down to
6 the Kentuckians for Better Transportation and
7 I couldn't believe it, they asked me to be the
8 lunch speaker and there was hundreds of people
9 there and finally I figured out that behind me
10 was a standup comic and they were drawing a
11 prize and you had to be present to win.

12 At least they let me go after the
13 drawing today, but you know that's the only
14 way -- I think Ben was still in high school
15 you know and they probably thought that --
16 down in Louisville, weren't you down in
17 Louisville -- that's about how far back it
18 goes, but -- and the probably still don't have
19 the fuel buses for better transportation.

20 But at any rate, I think we're here
21 today with the Americans for Better Water
22 Resources and I appreciate your being here and

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1 I appreciate that all the interest that you've
2 shown as we got on the way here.

3 So we have some slides that I want
4 to run through as quickly as I can so this is
5 really about you talking.

6 So I just wanted to say a few words
7 about the basic planning process, which if you
8 look at what happens along the back bone of
9 this planning process it's not all that
10 complicated and it's a sound process and it
11 doesn't assume that anything has to be done.
12 It starts out from the clean sheet of paper
13 and it asks what the problems are in the
14 planning context or the study area we talk
15 about sometimes.

16 And then you look at some of the
17 conditions that determine how well you can
18 meet -- solve these problems or realize these
19 opportunities and you formulate alternatives
20 to address these problems, and you evaluate
21 these effects according to some set of
22 criteria that are usually manifest in our

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1 context in terms of objectives, and you
2 compare these alternative plans and weigh them
3 and trade them off as economist are fond of
4 saying, and then you select a recommended
5 plan.

6 Any of you who ever were sent to
7 some management class in one of the segments
8 of the management class was problem solving
9 and that's really all this is about. And it
10 would be kind of hard to believe this is sort
11 of like you know, well we haven't revised the
12 principles and guidelines since 1983.

13 You know this part of it here you
14 know would be like throwing the logic book
15 away. I mean you know in my mind it's about
16 the values and some of the other things. But
17 the basic process is very sound and it doesn't
18 assume anything has to be done. I mean at the
19 end of the day you can always decide to do
20 nothing.

21 The 1983 principles and guidelines
22 were actually the third manifestation of

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1 planning guidance under the 1965 Water
2 Planning Act, Water Resources Planning Act,
3 and there were two others. One that was
4 called Principles and Standards, and two --
5 both of them were called Principles and
6 Standards. And there is a story about how
7 this one got called Principles and Guidelines
8 but I think all four go to that story and just
9 say that the first two -- and one was in the
10 1973 in the Nixon Administration and another -
11 - or 1979 and another in 1980. I guess after
12 '73 was right. 1980 was in the Carter
13 Administration and both of them had two
14 objectives and that was the economy and
15 environmental quality. And then in 1983 it
16 was decided, you know in the same sort of
17 build-up that led to cost sharing that what we
18 needed to do was focus on the economics. And
19 so they adopted a single Federal objective for
20 accounts, national economic development,
21 regional economic development, environmental
22 quality and other social effects.

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1 We maintained the four account
2 framework of the Water Planning Act, that's
3 where that comes from, the four objectives
4 that Congress gave us in the Water Planning
5 Act.

6 And the rule was to select the NED
7 plan unless the Secretary grants an exception.

8 And there was a provision for addressing
9 other concerns. And you formulate other plans
10 and to talk in terms of being able to see what
11 the national economic development costs were
12 formulating along other dimensions in terms of
13 concerns.

14 The selection rule is
15 stated there, you can read it and it just says
16 pick the plan with the maximum economic
17 development benefits unless the Secretary
18 grants a waiver. And in fact in the 90's,
19 particularly in the 90's but even going back
20 to '86 Congress began to -- a series of
21 incremental steps that moved the Corps of
22 Engineers into an increasing role and
ecosystem restoration, aquatic system

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1 restoration.

2 So to respond to that and
3 institutionalize that role in the Corps we
4 essentially evolved to a blanket exception to
5 the NED rule for ecological restoration.

6 So this just illustrates, this just
7 illustrates the typical case of an
8 environmental project where our goal is we're
9 giving up NED, that just means it costs
10 something. A single purpose restoration
11 project gives up NED and produces
12 environmental quality as we measure it in
13 terms of some metric of -- that tells us that
14 we're improving the aquatic ecology.

15 So, the current situation is that
16 we've adopted ecosystem restoration as an
17 objective. That's the de facto. And we've
18 modified the 1983 plan selection rule.

19 As Secretary Woodley and General
20 Riley discussed we have Section 231 of the
21 Water Resource Development Act of 2007 which
22 directs the Secretary of the Army to revise

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1 the principles and guidelines according to
2 some guidance, policy guidance from the
3 Congress and some other consideration and
4 we've decided to break that down into two
5 steps.

6 The first one will be to revise
7 what's called principles and standards. Not
8 to be confused necessarily with previous
9 versions. But, principles are those broad
10 values and generally the way you just make
11 decisions and standards is a more detailed
12 explanation of how the planning process is
13 supposed to work. In other words, how do we
14 go through those steps that I had on the first
15 slide and produce the information to inform
16 the decision makers that have to make these
17 decisions.

18 So that's part one. And we'd like
19 to get a draft to the public by the end of
20 July, the end of 30 day comment period.

21 The National Academy panel public
22 forum in early August. Mr. Jacobs, Dr. Jacobs

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1 is back here today from the Academy and we're
2 working with him to get that set up. I hope
3 we're on schedule. And we're scheduled to
4 complete the revision in November of 2008 of
5 this first piece and this is a very high level
6 piece but a very crucial one because it deals
7 with what's going to count and the evaluation
8 of these projects and how we're going to make
9 the decisions.

10 And then this procedures piece, let
11 me just say a little bit about procedures.
12 Procedures are the very detailed guidance
13 about how to do benefit analysis essentially.

14 That's what they have been. That's chapters
15 two and three of the old 1983 guidelines.
16 Very detailed recipes for how one does the
17 benefit analysis for say purposes for example,
18 inland navigation. How do I compute benefits
19 and display those for an inland navigation
20 project or a flood risk management project, or
21 a water supply project.

22 Okay, so when General Riley talked

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1 about the time we'll have we're going to have
2 considerable time working through those
3 additional conversations with regard to those
4 details because that stuff is in need of some
5 updating and we need lots of help with that
6 and we're going to be engaging the public in
7 that process.

8 What we hope to do this year is get
9 a literature review together and decide what
10 kind of resource plan we need to get the job
11 done and let me just go back up. I just
12 wanted to point out on the first part that we
13 have other -- we're going to have a lot of
14 time to continue to talk to people and once we
15 get a draft out there, you know people want to
16 come in and talk to me directly you know, we
17 have some folks that think -- you know they
18 get a little nervous, some of our counsel
19 about the Federal Advisory Committee Act and
20 you know how we talk to people and that's one
21 of the reasons we're here today in terms of a
22 public meeting because that really obviates

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1 any problems that we have that way.

2 So I just want to say that once we
3 have something out there to talk about it will
4 be a great opportunity to have further
5 conversations and I'm going to be available to
6 talk to anybody who has the time to talk to
7 me.

8 Just wanted to say -- what are some
9 of the issues and you've heard the Secretary
10 and General Riley talk about some of them and
11 Ben Grumble has talked about some of them.
12 Some of the things we're thinking about, some
13 of the things that almost have to be -- have
14 to show up in any revision. Just have to in
15 my mind.

16 One of them is to just go ahead and
17 formally recognize what we're doing already
18 which is the aquatic ecology, that's a
19 restoration objective. So I would expect you
20 would -- you would expect us to have that I'm
21 sure and I'm sure we would.

22 Public safety for flood risk

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1 management, some sort of a standard or some
2 way of better coping with -- that doesn't mean
3 build 500-year levees everywhere. It probably
4 means a reasonable combination of structural
5 and non-structural means that you know we make
6 sure that we have evacuation plans that are
7 resourced and that people, you know are
8 appropriately communicated with and that those
9 kinds of aspects of the plan are items of
10 local corroboration in a way, for example that
11 make sure people are safe. That's one way of
12 looking at it.

13 I think if you went back to 1907
14 when Theodore Roosevelt appointed the Inland
15 Waterways Commission you know he made a very
16 eloquent statement -- I didn't bring it with
17 me today, I wish I had -- about how every
18 river system has to be considered as a unit
19 and then he talks about how many times people
20 think that uses always have to conflict, but
21 that we ought to really work in a watershed
22 framework to look for synergies, you know and

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1 watershed ideas open up choices. In other
2 words if you have collaboration and watersheds
3 then you have a bigger choice set and it's a
4 fundamental fact that if you have an enlarged
5 choice set you're able to make better
6 decisions or decisions that increase well-
7 being.

8 So we believe it's important to
9 work in that framework and achieve those
10 synergies and that's part of our strategic
11 plan. So I would think that you would have to
12 expect that the Corps of Engineers would be
13 interested in those things and Ben mentioned
14 watersheds.

15 And collaboration I just mentioned
16 that. The plan selection rule and the formal
17 one, the one that we've departed from is to
18 maximize net economic development benefits. I
19 expect that you would see that we would
20 formally recognize what the defacto decision
21 process has evolved to. And an emphasis on
22 adaptive management.

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1 We need particularly in some of
2 these ecological settings where the outcomes
3 are uncertain because our understanding of how
4 the change in hydrology or hydro-geomorphic
5 changes are going to you know result in the
6 biological outcomes is sometimes uncertain.
7 That we would want to incorporate that.
8 General Riley mentioned that.

9 So those are the kinds of things
10 we're thinking about. This is a very good
11 time for you to have an impact on us and
12 that's why we're here today and this is just
13 meant to provide you with some background.

14 Just one more -- I think I had one
15 more little slide that -- where we'd like to
16 be some day is, you know with Aldo's, you know
17 the gentler criterion or whatever it is that
18 we revolves the projects that can produce both
19 economic and the ecological benefits. You
20 know recognizing the trait that we're going to
21 have to still make a decision along that line
22 but that we can formulate as many projects as

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1 we can that have both kinds of benefits for
2 this nation.

3 All right, thank you. That's the
4 end of my presentation. Thank you Mr.
5 Secretary.

6 SECRETARY WOODLEY: Okay, Mary?

7 FACILITATOR APOSTOLICO: Before we
8 move on to the public comment period are there
9 any questions directly related to background
10 and time line?

11 (No audible response.)

12 FACILITATOR APOSTOLICO: Just
13 checking, okay great. I'm going to read off,
14 we're going to have everyone's name up here
15 that has been selected. It will show the
16 speaker, the current speaker and then the next
17 two speakers. I'll run through the list real
18 quick so you'll know.

19 Gerry Galloway, you're going to be
20 first. Mark Carr, and let me apologize if I
21 butcher anybody's name ahead of time. April
22 Smith, Amy Larson, Tom Teets, Steve

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1 Fitzgerald, Harry Simmons, and John Burns.

2 So everyone who signed up before
3 8:30 a.m. was able to get into the lottery.
4 We will do a wait list if we have enough time
5 after wait list lottery.

6 I will -- for the speakers I will
7 have time cards to let you know just how your
8 time is going because you're going to get
9 approximately ten minutes and I'll give you a
10 five minute and a two minute so you'll know
11 what's left of the ten minutes.

12 With that, Gerry?

13 MR. GALLOWAY: Good morning. It
14 is a distinct pleasure to be here and a
15 privilege actually and I appreciate the
16 opportunity to meet with you all this morning.

17 I'm Gerry Galloway. I'm a
18 professor of engineering and public policy at
19 the University of Maryland and I also work in
20 our university water resources collaborative.

21 My message today is relatively
22 straightforward. We've got severe water

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1 challenges, climate changes just around the
2 corner and their only going to exacerbate the
3 challenges we already face.

4 Dealing with the future is going to
5 require that we have documents that guide the
6 development of needed water projects and
7 produce projects that truly meet the needs of
8 the nation. They must be nationally
9 recognized documents rather than regulations
10 from the Corps of Engineers that are not part
11 of a larger process.

12 Ad hoc or secretarial approval just
13 doesn't work in the long run. Just as we
14 understand in the military the commanders
15 intent and how that pervades everything we do,
16 the Commander in Chief and the Congress need
17 to have their intent clearly expressed. OMB
18 doesn't listen to anybody but those two
19 agencies, I'm not even sure they listen to
20 them.

21 For 25 years the economic
22 principles and guidelines for water and

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1 related land resources implementation studies
2 have formed the ground rules under which
3 important development projects are studied,
4 authorized, and funded.

5 Over this period as we've just
6 heard they have focused on national economic
7 development rather than all the benefits and
8 costs the projects might produce, the
9 economic, the environmental, and social.

10 In eliminating the principles and
11 standards in '83 the Reagan Administration
12 made national economic development the sole
13 objective and it would, as many people would
14 contend eliminate consideration of
15 environmental benefits, public safety, and
16 other social impacts.

17 In spite of the fact that there
18 have been exceptions, when you go out to the
19 field and talk to the planners there's this
20 hesitation to do anything that moves away from
21 NED.

22 As a result of the failure of

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1 Congress to revise principles and guidelines
2 the many projects with strong environmental,
3 social, and public safety benefits have been
4 left on the table to the detriment of efforts
5 to protect and enhance our natural
6 environment, provide social justice for those
7 who need our support and offer the safety to
8 the many people who are at risk in areas where
9 economic benefit alone does not justify their
10 protection.

11 What's interesting is review after
12 review by the national academies and other
13 agencies have pointed out the need to change
14 principles and standards. And this started as
15 early as 1986 as General Riley noted.

16 It is not something new. In 1994 a
17 White House study after the Great Mississippi
18 flood indicated that the principle Federal
19 Water Resources Planning document principles
20 and guidelines is outdated. At the same time
21 EPA sponsored a study that came up with almost
22 the same conclusion.

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1 In 1999 an NRC Committee examined
2 the core planning process and noted in their
3 report that the committee recommends the
4 Federal principles and guidelines be
5 thoroughly reviewed and modified to
6 incorporate contemporary, analytical
7 techniques.

8 In 2000 a report by the National
9 Research Council Committee investigating core
10 methodologies for flood risk determination
11 indicated that to appropriately include flood
12 consequences and their relative importance the
13 committee recommends that the ecological
14 health and other social effects of the core
15 flood damage reduction studies and the
16 tradeoff between them be quantified to the
17 extent possible and included in the national
18 economic development plan.

19 While reviewing the issues
20 associated with maintenance of the ecosystems
21 of the Missouri River another NRC Committee
22 found that the Executive Order 12893, which

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1 strengthened the benefit cost requirements for
2 Federal agencies but opened the way for wider
3 consideration for environmental values, was
4 not taken into account and the P&G had not
5 been modified to include such approaches.

6 When the Water Resource Development
7 Act in Section 216 of the 2000 Act requested
8 the National Academies review core peer review
9 procedures, methods and analysis they came up
10 with five different studies. The committee
11 looking at analytical methods found that the
12 principles and guidelines should be revised to
13 better reflect contemporary management
14 paradigms, analytical methods, legislative
15 directives, and social economic and political
16 realities.

17 And it noted that benefit cost
18 analysis should not be used as the lone
19 criterion in deciding whether a proposed
20 planning or management alternative in a core
21 planning study should be approved.

22 The committee that was examining

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1 river basin and planning techniques noted that
2 comprehensive guidance on integrative planning
3 is not found in the current principles and
4 guidelines.

5 The P&G has not been revised for 20
6 years and should be updated to provide
7 sufficient and balanced information on how to
8 conduct integrative water systems planning.

9 In 2005 a separate study of water
10 resources planning for the Upper Mississippi
11 reported that another example of Federal
12 direction that should be revised and clarified
13 is the principles and guidelines and it goes
14 on to give some details.

15 Clearly there is a push to revise
16 the principles and guidelines and while I
17 approve what's been done by the Corps and
18 certainly support it within their own
19 standards to do this in the regulation the
20 Corps needs top cover and there needs to be a
21 national attention to this.

22 You can go through and I've

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1 discussed what was in the principles and
2 standards and how that moved ahead.

3 I would urge you, in the conduct of
4 your review, and in the preparation of the new
5 principles certainly to accept the objectives
6 that are included in the Congressional
7 legislation, sustainable economic development
8 avoiding unwise use of flood plains and
9 protection and restoration of the functions of
10 natural systems. But I would argue that's not
11 just restoration, it's far beyond. It's the
12 entire issue of environmental quality.

13 In addition, I believe three
14 additional objectives should be explicitly
15 included in the revision. One is the
16 protection of public safety. Two is the
17 maximization of positive social effects that
18 stem from the proposed project and three, the
19 development of projects within the context of
20 the watershed in which they are located.
21 Something that needs to be done.

22 These objectives are in line with

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1 the considerations found in Section 2031(b) (3)
2 of Water 2007.

3 Under the current guidelines a
4 \$2,000,000 project protecting a \$4,000,000
5 home would be seen as providing greater
6 benefits to the nation in the same \$2,000,000
7 project protecting 40 \$25,000 homes and the
8 families that live in these structures. This
9 doesn't pass the common sense test.

10 The protection of public safety or
11 an objective to the benefits or providing
12 protection of these families would have to be
13 considered in the final accounting.

14 It's interesting to note in
15 previous testimony a former acting Assistant
16 Secretary of the Army noted that we have the
17 ability to quantify the loss of life and to
18 deal with that we just haven't done it. But
19 why is it not being done?

20 I would argue that the need for
21 this accounting should be explicit in the
22 revised principles and guidelines. It's in

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1 consideration of public safety. It will be
2 important to examine the 100 year de facto
3 national standard for flood protection.

4 Two recent studies conducted for
5 FEMA by an interagency levee policy review
6 committee and by the Water Resources
7 Collaborative at Maryland have indicated the
8 reasonable level of protection should at least
9 be at the 500 year standard project flood
10 level.

11 And California has already moved to
12 the 200 year level. As recent studies by the
13 Corps Institute of Water Resources indicated,
14 spoke very strongly of the need to consider
15 other social effects, the human needs that
16 include distributed justice, social
17 correctness, quality and health and safety
18 considerations in addition to the economic
19 well-being factors.

20 Information on these multiple
21 dimensions of well-being is increasingly being
22 used by Federal agencies, the World Bank, and

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1 other countries to provide a more
2 comprehensive understanding of quality of life
3 and livability issues.

4 This clearly should be part of the
5 principles and guidelines. Establishing a
6 watershed objective addresses two issues. The
7 pure practicality of engineering a project
8 without the context of -- within the context
9 of related projects and activity within the
10 watershed. And the second part of that is to
11 ensure that the funding and the support for
12 the project includes that very, very critical
13 component.

14 Clearly as directed by Congress the
15 new principles and guidelines should employ
16 the best available economic and analytic
17 techniques.

18 We should certainly consider the
19 issue of non-structural protection and
20 eliminating the bias that does exist in the
21 current versions.

22 I would recommend that the new

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1 principles and guidelines require project
2 planning to include full consideration of
3 future conditions in the watershed in which a
4 proposed project might be developed.

5 These future conditions should
6 include the potential hydroponic and hydraulic
7 impacts and climate change and any forecast
8 development in the region that might impact
9 the project area.

10 It's foolish to develop a project
11 on yesterday's information and not what it
12 might be in the future.

13 I would also urge you to recommend
14 that the administration of Congress, that the
15 principles and guidelines you develop also be
16 applied to other Federal agencies involved in
17 water resource development.

18 The current principles, as you
19 know, apply only to four, the Corps, the
20 Bureau, the Natural Resources Conservation
21 Service, and the TVA, but do not cover project
22 supported by other agencies such as EPA, the

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1 Small Business Administration, the Federal
2 Emergency Management Agency.

3 It is not appropriate to have one
4 set of principles and guidelines for the Corps
5 of Engineers and other principles or no
6 principles for agencies involved in similar
7 work throughout the nation.

8 I find it interesting that Congress
9 directed the Secretary of the Army to in
10 effect substitute your version Mr. Woodley, of
11 the principles and guidelines for those
12 promulgated by the President without requiring
13 reconciliation for the Corps of principles and
14 guidelines with the administrations principles
15 and guidelines, which I assume will continue
16 to exist.

17 This seems to be going in the wrong
18 direction in an era when we're looking for a
19 comprehensive approach to Water Resources
20 Development in the nation.

21 I compliment your effort to obtain
22 public input for this important effort and

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1 thank you again for the opportunity to speak
2 to you today. And I have given a copy of my
3 full remarks to each of you and to the staff.

4 MR. CARR: Thank you. It's good to
5 see you folks. My name is Mark Carr and I'm
6 with AEP River Operations. We're a barge line
7 headquartered in St. Louis, Corporate
8 Headquarters in Columbus, Ohio. We have about
9 1,400 mariners, 27, 2,800 barges, and about 60
10 boats and we operate Pittsburgh, Chicago, New
11 Orleans, largely. We used to have a nice
12 business on the Missouri River but that went
13 away.

14 I want to make sure that folks in -
15 - and your panel I know and in the general
16 audience recognize that the mariner community
17 has an abiding interest in a good river
18 environment.

19 We live out there in ways that are
20 -- have largely disappeared from American
21 society. Most of our people wake up on the
22 river and go to bed on the river about six

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1 months of the year. And except for fishermen
2 and a few other folks there isn't a community
3 in this modern society that has that kind of
4 intimate relationship with the river and to --
5 I think we all have done a disservice of
6 setting up a mariner versus conservationists
7 duality over the years. And we're working
8 rapidly to make sure that folks understand our
9 viewpoint and how we come at these kinds of
10 issues.

11 The recent excellent work that the
12 Corps has done in New Orleans shows that when
13 the National and Washington will are aligned
14 and there's a pressing need that the Corps can
15 plan and execute projects.

16 We're concerned that the missions
17 of the Corps, especially the public safety and
18 environmental quality, will suffer in ways, in
19 an over-planned environment, and overanalyzed
20 environment.

21 Those missions and all the other
22 missions will suffer in the same ways that the

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1 maritime infrastructure mission has been
2 challenged in this generation of projects as
3 opposed to the projects that came in previous
4 decades and generations.

5 We think that the process as it
6 evolves should recognize economic benefits
7 beyond the construction project and beyond the
8 banks of the river.

9 The ecosystem focus that has been
10 gaining prominence and the watershed focus
11 that has been gaining prominence in the
12 planning process recognizes benefits away from
13 the river bank. It's not just between the
14 banks of the river and the immediate riparian
15 zone, but it's the conservation of ecological
16 benefits stretching quite a ways out from the
17 river.

18 And in our understanding of
19 previous, current and previous family
20 practices have restricted the economic
21 benefits of projects, infrastructure projects,
22 to the projects themselves and not to, and

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1 maybe shore side projects, but not projects
2 over the hill. And different ports and
3 terminals that we call on, the terminal
4 operation on the riverside is a real small
5 component of an industrial complex that maybe
6 located up on the hill or over the hill and we
7 believe that as the ecosystem benefits are
8 broader than between the river banks we
9 believe that the economic benefits should
10 include those industrial facilities and the
11 labor markets, the under-utilized labor
12 resources in these regions of the country are
13 regions of the river area that are away from
14 the shore.

15 We think that the watershed focus
16 is appropriate, but I can't get a sense that
17 the watershed studies are available for the
18 entire country. And I'm very concerned that
19 if you require a watershed focus before you
20 plan projects and act on them that we're not
21 going to get anything done for another
22 generation because the Upper Miss Project,

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1 that analysis that went into the Chief's
2 report a few years ago took what, 10, 12
3 years.

4 There were a lot of different
5 things going on in there but I believe that
6 now we feel that we have a watershed study,
7 but if you look at all the other watersheds in
8 the country I don't think you're going to come
9 up with a real long list where that's prepared
10 and if we have to step back from any kind of
11 project work, whether ecological, public
12 safety, or national, regional economic
13 development, until all the watershed studies
14 are done I think we're going to be here for a
15 long, long time.

16 I'm probably going to have a lot of
17 job security because it isn't going to get
18 done in the remains of my career nor in your
19 careers.

20 And in general we fear that the
21 Administration's approach to planning and
22 over-planning is likely to paralyze the Corps

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1 of Engineers.

2 With infinite planning and planning
3 processes that diffuse the focus rather than
4 narrow the focus. And again, I started out
5 talking about the importance in a day to day
6 measure of the environment in the watershed
7 and a level of intimacy that's largely unknown
8 in American society and so I'm not saying that
9 we need to stop looking at these important
10 missions of public safety, environmental
11 quality, and national economic benefits and
12 all, but I believe that there is a real risk
13 of focusing too broadly, never being able to
14 get anything resolved and done, looking at the
15 worst things that happened in the Mississippi
16 River Nav Study, and engineer a process that
17 eliminates those kinds of problems and diffuse
18 focus and helps the Corps and helps the nation
19 focus in on the important missions and then
20 gets things done.

21 I think getting things done is the
22 weakness if environmental quality projects, if

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1 public safety projects track on the same path
2 that maritime infrastructure projects have
3 tracked on the last number of years we're
4 going to have a real problem, thank you.

5 MS. SMITH: Good morning. My name
6 is April Smith with Audubon. I serve as the
7 Director of Ecosystem Restoration in the
8 Washington, D.C. office. And Secretary
9 Woodley I want to thank you for holding this
10 public hearing on this very important issue
11 and thank the rest of the panelists for being
12 here and listening so patiently all day long.
13 And I'm glad I'm not last.

14 A few points I'd like to raise on
15 behalf of Audubon and our one million members
16 and supporters across the country.

17 We recognize this as an important
18 opportunity to advance our mutual goals of
19 stewardship of our important natural
20 resources. As reflected in our Memorandum of
21 Understanding and as reflected in our nations
22 growing priorities and concerns.

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1 First and foremost I'd like to talk
2 about environmental protection and ecological
3 restoration. This core mission, this
4 objective must be on equal footing with the
5 other core missions.

6 Secondly, I wanted to mention the
7 non-structural and natural system options.
8 The current principles and guidelines had an
9 inherent bias, again it's non-structural and
10 natural system alternatives as discussed by
11 previous speakers and protecting and restoring
12 healthy and fully functioning ecosystems and
13 their associated ecological services should be
14 given the highest priority for project
15 planning.

16 Projects should be designed to work
17 with and maintain the integrity of natural
18 systems to the maximum extent practical.

19 Flood plains flood, lets not
20 leading people to believe that that doesn't
21 happen. Keep people out of harms way if we
22 can rather than figure out how to protect them

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1 once they are there.

2 Ecosystem, watershed scale
3 planning. This is essential to an efficient
4 and effective water resources planning
5 process.

6 Comprehensive evaluation of the
7 complex interrelationships of water resources
8 within ecosystems require this scale planning.

9 Thirdly, an inclusive and
10 transparent and efficient process. The
11 principles and guidelines when we revise
12 should provide for an extremely inclusive
13 transparent process to involve the public,
14 other Federal agencies, state, tribal,
15 regional, local Governments, non-profit
16 organizations and other stake holders from the
17 beginning aggressively, inclusively, to
18 develop a broad and informed public, and a
19 trusting public to move the source of resource
20 planning processes forward together.

21 This is the lesson we learned in
22 the Everglades. We're still learning it in

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1 the Everglades, but it's a key example of how
2 when you're inclusive, when the process is
3 transparent, when there is trust you can
4 advance. And when that is not in place you
5 get held back in progressing with projects.

6 The last thing I think is more part
7 two but dealing with procedures. We should
8 recognize in the very beginning of this
9 process that having a single set of procedures
10 for all objectives and all types of projects
11 may not be the most efficient or effective way
12 to move forward.

13 We need to ensure that the
14 procedures in place are not unnecessarily
15 bureaucratic, wasteful, time consuming, or
16 duplicative.

17 We need to make sure we're focusing
18 on an individual organizations and entities
19 strengths, expertise, authorities, and not
20 going through motions that don't necessarily
21 advance the objective we're focusing on for a
22 particular project or program.

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1 And finally, the revision should
2 ensure that water resource planning accounts
3 for actual or anticipated effects of climate
4 change. And focus those resources to help
5 ecological systems to adapt and to mitigate to
6 those facts.

7 And finally, because I thought it
8 was more procedures, but the adaptive
9 management process, as we move into that we
10 need to make sure that adaptive management is
11 scaled both geographically and temporally to
12 measure ecological responses particularly for
13 ecosystem restoration projects.

14 We urge the Secretary and the Corps
15 to fully embrace this important and unique
16 opportunity to update the mission of the Corps
17 to reflect national priorities and to fully
18 realize the potential of the Corps to be a
19 leading steward of our nation's precious water
20 resources. Thank you so much.

21 MS. LARSON: Secretary Woodley,
22 General Riley, and members of the panel. My

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1 name is Amy Larson from the National Waterways
2 Conference. The Conference appreciates the
3 opportunity to submit these suggestions for
4 revising the 1983 principles and guidelines
5 applicable to planning studies of water
6 resource projects.

7 The conference established in 1960
8 is the leading national organization to
9 advocate for the enactment of common sense
10 water resource policies that maximized the
11 economic and environmental value of our
12 inland, coastal and great lakes waterways.

13 Conference membership is comprised
14 of the full spectrum of water resource stake
15 holders including waterways shippers,
16 carriers, industry and regional associations,
17 port authorities, shipyards, dredging
18 contractors, flood control associations, levee
19 boards, engineering consultants, and state and
20 local Governments.

21 In recognition of the public value
22 of our nation's waterway system and its

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1 contribution to public safety, a competitive
2 economy, security, environmental quality and
3 energy conservation, the conference submits
4 these comments to the Corps for its
5 consideration.

6 As an initial matter the National
7 Waterways Conference sees no compelling reason
8 to change the principles and guidelines. Such
9 modifications would have no impact on the
10 underlining concerns about the process and
11 procedures used to develop, evaluate, and
12 review water resource projects.

13 Nonetheless in view of the
14 Congressional mandate the conferences
15 objectives in submitting these comments are
16 two fold. First, to recommend a few
17 improvements and enhancements to the existing
18 guidelines. And second, to urge caution in
19 developing revisions to the guidelines in
20 order to avoid causing any undue harm in the
21 planning process.

22 In general the National Waterways

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1 Conference is concerned that the Corps of
2 Engineers has been unduly limited in its
3 approach to solving the nations serious and
4 growing water resource problems.

5 In 1983 P&G provides for a single
6 planning objective, national economic
7 development. Nevertheless, the Corps appears
8 to have adopted an environmental quality
9 objective consistent with prior principles and
10 standards based on the 1965 Water Resources
11 Planning Act.

12 We applaud the Corps consideration
13 of both of these factors but would support
14 expansion of the planning criteria to include
15 other factors including but not limited to
16 regional economic development, social
17 benefits, and public safety.

18 We also support a comprehensive
19 approach to planning. Water resource problem
20 solvers have realized for many years that the
21 best solutions to the water resource problems
22 are those that take a comprehensive approach.

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1 Even to the extent of considering non-water
2 related problems.

3 In recent years the Corps thinking
4 has been evolving towards these watersheds and
5 systems thinking. The Corps strategic civil
6 works strategic plan was founded on this idea.

7 And central to this idea is the notion that
8 we must collaborate with others who have the
9 responsibility Federal or otherwise to
10 implement the elements of a best solution.

11 In addition to economic objectives
12 water resource planning must also consider
13 public safety a lesson tragically demonstrated
14 in the recent years by the impacts of
15 Hurricane Katrina and Rita.

16 We believe it would be
17 irresponsible planning to fail to consider the
18 overall set of components within flood risk
19 systems. An economically fiscal solution
20 which leaves people exposed to unacceptable
21 and often underappreciated risks is simply not
22 a sound solution.

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1 Further, sound planning for public
2 safety must be accomplished in collaboration
3 with other local interests who in turn have a
4 variety of other problems to address.

5 The conference support planning
6 process that is broad enough to accommodate
7 assignments to the Corps based on future needs
8 the Congress mandates, even those assignments
9 that are outside the Corps traditional mission
10 areas.

11 We believe optimal solutions are
12 those which are derived from considering in a
13 comprehensive manner all problems in an
14 existing area. To accomplish this goal
15 planning must be collaborative involving all
16 stake holders to assure completeness.

17 The National Waterways Conference
18 also believes that a fundamental premise of
19 the Corps plan and process must be from the
20 national perspective rather than from the
21 Federal perspective.

22 This policy was articulated in the

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1 1936 Flood Control Act which provided that the
2 Federal Government should improve or
3 participate in the improvement of navigable
4 waters or their tributaries including
5 watersheds for flood control purposes if the
6 benefits to whomever so they accrue are in
7 excess of the estimated costs and if the lives
8 or social security of the people are otherwise
9 adversely effected.

10 This concept is founded under the
11 concept that people get the benefits. Where
12 2007 reaffirmed this policy that all water
13 resource projects should reflect national
14 priorities.

15 The National Waterways Conference
16 supports revising the principles and
17 guidelines to allow for such considerations.
18 Restricting evaluation criteria to national
19 economic development and not include regional
20 economic development, social needs, and public
21 safety would prevent implementation of a
22 comprehensive water resource policy.

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1 On behalf of the National Waterways
2 Conference I appreciate the opportunity to
3 submit these comments and we look forward to
4 work with the Corps as it develops reasonable,
5 flexible, and comprehensive water resource
6 project planning criteria, thank you.

7 MR. TEETS: Thank you, my name is
8 Tom Teets. I'd like to thank the panel,
9 Secretary Woodley for the opportunity to
10 provide our input on the revisions of the
11 principles and guidelines today.

12 My name is Tom Teets and I am with
13 the South Florida Water Management District
14 and your local sponsor for the Competence of
15 Waterways Restoration Plan.

16 Our focus and direction of the
17 Corps of Engineers process has evolved since
18 the update of principles and guidelines in
19 1983. The evolution of our project, CNSF
20 Project, is an excellent example of how the
21 Corps role of water management in the United
22 States has changed through time.

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1 CNSF Project was first authorized
2 by Congress in 1948 with the authorized
3 purposes of the project to include flood
4 control, regional air supply, for Ag in urban
5 areas, prevention of salt water intrusions,
6 water supply to Everglades National Park,
7 preservation of fish and wildlife, and
8 recreation navigation.

9 Many additional authorizations
10 related to the CNSF have occurred over the
11 years with the authorization of the Kissimmee
12 River Restoration Project as well as modified
13 water deliveries project and C-111 project has
14 been really turning points for us where we
15 started to correct the problems of the
16 primarily flood protection project that we
17 have today.

18 Also in 1992 the Corps of Engineers
19 received its first two authorizations to
20 complete the Central and Southern Florida
21 comprehensive review study. The purpose of
22 this study was to reexamine the CNSF Project

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1 to determine the feasibility of modifying the
2 project to restore the South Florida ecosystem
3 and to provide other water related needs of
4 the region.

5 This study was submitted to
6 Congress in 1999 as you all know and the
7 Water Resource Act of 2000 approved the
8 comments restoration plan as a framework for
9 modification of operations to the CNSF Project
10 that are needed to restore, preserve, and
11 protect our ecosystem in South Florida while
12 providing for those other needs in the system.

13 This study as you know was very
14 much a comprehensive study. It covered a
15 16,000 square mile area from Orlando to the
16 Florida Reef Tract. The problems that have
17 been identified resulting from the
18 construction of the CNSF Project are
19 ultimately very vast and include many things
20 including the problems with Lake Okeechobee,
21 higher water levels affecting the littoral
22 zones in Lake Okeechobee. Extreme

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1 fluctuations to our major estuaries to the
2 East and West of the St. Lucia estuary.

3 Also detrimental effects within the
4 Central Everglades system itself. Very large
5 impacts on our ridge and slew systems and it
6 impacts the Everglades National Park and also
7 unsuitable fresh water flows to Florida Bay
8 and Biscayne Bay.

9 As you know the plan was approved
10 by Congress. It was identified over 60
11 components that we needed to implement and
12 it's a combination of many, many things that
13 to be able to get the significant restoration
14 benefit throughout the South Florida
15 ecosystem.

16 The complexity and diversity of
17 this restoration effort is a good example of
18 the type of restoration planning and
19 implementation efforts that the Corps of
20 Engineers will be encountering in the future.

21 Unfortunately these types of
22 planning efforts do not lend themselves well

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1 to the economic benefit analysis that have
2 been typically used by the Corps of Engineers
3 to select the recommended plan to justify
4 projects in a nationwide setting.

5 The Congressional action taken on
6 CERP did not provide full authorization for
7 any of the specific projects identified in the
8 plan therefore planning efforts have been
9 embarked upon to plead feasibility studies.

10 In our case project implementation
11 reports indicates the CERP for individual
12 projects. A number of challenges have been
13 encountered in the planning process for this
14 program, the largest environmental restoration
15 program in history which have not been
16 typically encountered or addressed by the
17 principles and guidelines.

18 Implementing these challenges in
19 large multifaceted, multi-year restoration
20 programs like the Everglades and California
21 Bay Deltas and the Louisiana Coastal Wetlands
22 need to be considered as the P&G are revised

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1 in order to be used as foundation for Corps
2 and other Federal agencies, water resource
3 planning in the future.

4 I just want to highlight a few of
5 the revisions that we think are needed for the
6 P&G. First of all this has obviously been
7 talked about today. There needs to be a clear
8 Federal objective for ecosystem restoration
9 which needs to be defined separate from the
10 current national economic development
11 objective.

12 In a category of general planning
13 considerations P&G needs to be modified to
14 direct the Federal planning process to be
15 fully collaborative and fully integrated local
16 sponsors in their planning decision making
17 process and have truly a mutual decision
18 making process embedded for the local
19 sponsors, particularly those of us that have
20 large cost-share factors involved.

21 Local expertise and knowledge
22 provided by the sponsors can be key to

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1 identifying the correct project alternative.
2 We may be a little unique than some of the
3 other agencies, but we have a lot of expertise
4 in house to work with the Corps.

5 Climate change is also very
6 important and the sea level issues would need
7 to be recognized in South Florida as very much
8 need to be factored into the front end of many
9 of the planning process.

10 The current P&G focus primarily on
11 the NED account which has been used for years
12 to justify these projects. AS we've already
13 heard today that needs to shift.

14 And unfortunately the alternative
15 formulation of project justification for
16 ecosystem restoration projects cannot be
17 viewed purely quantitative, economic terms as
18 has been used in the case of NED.

19 One of the challenges of justifying
20 ecosystem restoration projects is the
21 continual need to quantify a benefit that may
22 be primarily qualitative in nature. In other

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1 cases the quantitative evaluation has been
2 conducted followed by further conversation to
3 a single quantitative habit unit which
4 oversimplifies the analysis potentially
5 leading to erroneous conclusions.

6 Alternative methods of justifying
7 projects needed when diverse ecosystems are
8 impacted by a project. An example of CERP we
9 have -- as you know a Lake Okeechobee, the
10 estuaries, and the Everglades. Attempting to
11 quantify the benefits in terms of agricultural
12 habitat units for all three systems at the
13 same time is really not very practical or
14 realistic.

15 Alternative methods for justifying
16 projects should take into consideration how a
17 project fits into the overall framework that
18 has been established for ecosystem
19 restoration. In some cases this could
20 simplify and make more meaningful the project
21 justification process.

22 For example, there may be a need to

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1 increase storage capability in order to have
2 more water management flexibility that will
3 facilitate other follow-on restoration
4 projects.

5 In this case the increment of
6 storage that a project detains could be
7 considered in the justification process. In
8 addition, the fact that this project is an
9 increment of the overall restoration should be
10 taken into consideration of the justification
11 process and this is one of the difficulties we
12 are running into right now.

13 We're trying to justify projects in
14 small contexts. Very big system, smaller
15 projects, harder to justify.

16 Currently, although multiple output
17 categories exist for watershed projects only
18 habitat units seem to be acceptable versus a
19 broader array of output such as storage,
20 reduction of seepage, losses to the natural
21 system, improved timing of deliveries.

22 In other cases where ecological targets

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1 have been identified for specific areas such
2 as a estuary the percentage of the detainment
3 of that goal could be used to judge a
4 successful alternative.

5 Unfortunately project teams are
6 being forced into translating that into the
7 percentage of attainment of a target back into
8 a single quantitative habitat unit which in
9 some cases that transfer doesn't work very
10 well.

11 The benefits and justification
12 process currently used in CERP has led to a
13 situation where justifying individual projects
14 in the vast Florida ecosystem is challenging
15 at best. Smaller less costly projects which
16 may be more desirable to decision makers are
17 difficult to justify because of their small
18 benefit to a large ecosystem.

19 In the case of CERP even larger and
20 more costly projects may not deliver adequate
21 benefits because they are the early foundation
22 projects on which the overall restoration will

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1 be built.

2 These projects may be key to the
3 ultimate success to CERP, but ultimately
4 reviewed by decision makers because they are
5 limited benefits at the very high cost we
6 encounter.

7 We'll be happy to continue to
8 provide comments as we go through the process
9 of coming out with the draft and we thank you
10 very much for this opportunity to talk today.

11 MR. FITZGERALD: Good morning, I am
12 Steve Fitzgerald. Today I am representing the
13 National Association of Flood and Storm Water
14 Management Agencies.

15 Water resource challenges and flood
16 risk reduction projects have changed since the
17 70's and 80's as our values and perspectives.

18 We applaud you for taking on this tough
19 assignment today.

20 NAFSMA is a national organization
21 that represents local, regional, and state
22 flood and storm water management agencies.

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1 Most of which are located in urban areas.

2 Many of our member agencies are
3 local sponsors for core projects within their
4 communities. We are proud of our partnership
5 with the Corps and the many successful
6 federally partnered projects that have reduced
7 flood damages and loss of life in our
8 communities. While at the same time providing
9 places for families to live with lower flood
10 risk and desirable economic, social, and
11 environmental conditions.

12 In making significant contributions
13 to the cost of Federal studies and projects
14 the sponsors have understandably taken a more
15 active role in identification, development,
16 and implementation of flood risk management
17 projects.

18 Consequently many have developed a
19 high degree of planning, environmental policy,
20 and technical expertise. Local sponsors today
21 are strong partners with the Corps not just
22 stakeholders.

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1 Because of this close partnership
2 and teamwork our mutual capability to reduce
3 flood risk is greatly increased. NAFSMA is
4 pleased to present these recommendations for
5 revising the 1983 principles and standards.

6 One, reduce the emphasis on
7 national economic development or NED plan.
8 The other three accounts are just as
9 important. Even identifying the NED plan is
10 important there needs to be equal emphasis on
11 the other three accounts when evaluating
12 alternatives and selecting a plan to
13 implement.

14 Local sponsors typically
15 incorporate multi-objective uses which we
16 think of as the four accounts in flood risk
17 reduction projects in order to garner
18 community support and comply with other state
19 and Federal regulations.

20 Other objectives often include
21 public safety, water quality, groundwater
22 recharge, ecosystem restoration, environmental

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1 preservation and enhancements, esthetics, and
2 recreation.

3 Planning studies should distinguish
4 each of the multi-objective benefits or
5 accounts and identify what part of the plan
6 each party can help implement.

7 These practices generally fall
8 under the Corps terms of integrative water
9 resources management and collaborative
10 planning.

11 Number two, embrace and encourage
12 local sponsors and others to contribute
13 directly to the success of the planning and
14 implementation of multi-objective projects.

15 The 1983 standards language in
16 addressing the local sponsors' role in public
17 participation needs updating. Since local
18 sponsors are true partners, recognize them as
19 such in the standards. Using local expertise
20 and knowledge will not only produce a better
21 plan but it will also strengthen local
22 ownership of that plan.

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1 Three, easy process for selection
2 of the non-NED plan. With multi use projects
3 and integrative water resources management in
4 place the NED plan may not be the recommended
5 plan. The recommended plan should not have to
6 go through a more stringent process of review,
7 approval, and authorization.

8 Four, continue use of the four
9 criteria. Complete, effective, efficient, and
10 accessible, with equal treatment. All four
11 are needed to have a successful plan or
12 project.

13 But at the same time allow
14 analytical restrictions and professional
15 judgment to shorten the planning process.
16 Often the required level of analytical detail
17 exceeds the return in identifying a better
18 project or plan. Allowing analytical
19 restrictions or cutoffs in professional
20 judgment in evaluating alternative in plan
21 selection.

22 We are concerned that the Corps

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1 planning process is heading in the opposite
2 direction following the unfortunate publicity
3 on navigation projects and the recent Gulf
4 Coast hurricanes.

5 NAFSMA local sponsors need to do a
6 better job telling the rest of the story to
7 both Congress and the media.

8 Five, integrative risk management
9 and risk informed decisions are good ideas.
10 But please do not add analytical requirements
11 that lengthen the planning, design, and
12 construction process.

13 When risk items are added to the
14 process analytical requirements and the
15 current process that have little or no value
16 added need to be reduced or eliminated.

17 Six, emphasize addressing public
18 safety in planning, design, construction, and
19 operations of water resources projects. The
20 water resources profession relearned the
21 importance of public safety from the 2005 Gulf
22 hurricanes.

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1 Public safety needs to be
2 incorporated into every phase of the process
3 on the same level as environmental compliance
4 and environmental stewardship. Changes to
5 project features and designs for public safety
6 may not be noticeable but public education,
7 preparedness, and public reaction will be
8 critical to minimize the loss of life.

9 Since most of this responsibility
10 will lie with local and state Governments this
11 is a good example of directly involving local
12 sponsors and other local agencies in the
13 planning process would yield good benefits.

14 Seven, address the problem with low
15 property value communities not able to compete
16 with high property value communities and
17 identification of the Federal interests.

18 This is an important issue that
19 needs to be addressed primarily in urban
20 areas. Local sponsors recognize this as an
21 inherent problem with using only the NED
22 approach to identifying Federal interest.

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1 Other options for measuring benefits such as
2 the number of homes, or number of people are
3 available.

4 Eight, involve NAFSMA and other
5 local sponsor organizations in the development
6 of the procedures. Even though including
7 collaboration, risk informed decision making,
8 and watershed planning into the planning
9 process are good ideas local sponsors are very
10 concerned this will add more time and cost to
11 a process that already takes too long and
12 costs too much.

13 The fundamental Lean Six Sigma
14 principle is that more reviews and added steps
15 decrease productivity and lower product
16 quality. Local sponsors want to work with the
17 Congress and the Corps on the procedures and
18 planning process to reduce the current load on
19 human and fiscal resources and increase the
20 chance of identifying a project that
21 communities can support and afford.

22 In closing I'd like to say many

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1 stakeholders, organizations and other
2 concerned parties will have good
3 recommendations and legitimate suggestions for
4 revising the principles and standards. On
5 behalf of your partners, the local sponsors,
6 NAFSMA request that we have a chance to review
7 the draft principles and standards and make
8 comments before it becomes final.

9 Local sponsors are committed to
10 working closely with the Corps to use, comply
11 with, and help pay for implementing the
12 principles and standards. Only together can
13 we successfully reduce flood risk in this
14 country with appropriate regard to public
15 safety and community and natural values. And
16 thank you.

17 Do you have any questions to
18 clarify the recommendations.

19 (No audible response.)

20 MR. FITZGERALD: Okay, thank you.

21 MR. SIMMONS: Good morning. I
22 thank the Corps of Engineers for allowing me

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1 to appear today to provide the views of the
2 American Shores and Beach Preservation
3 Association regarding the revision is what is
4 commonly known as principles and guidelines or
5 P&G.

6 My comments are an abbreviated
7 version of ASBPA's written comments which will
8 also be submitted today. Actually I think
9 they may already have been submitted.

10 Founded in 1926 the American Shore
11 and Beach Preservation Association represents
12 the scientific, technical, and political
13 interest along America's coast in an effort to
14 shape national research and policy concerning
15 shore and beach management and restoration.

16 I am the president of ASBPA as well
17 as mayor of Caswell Beach, North Carolina
18 where we have an ongoing general reevaluation
19 report to improve our shoreline and thus
20 protect the towns of Holden Beach, Oak Island,
21 and Caswell Beach.

22 As many of you know ASBPA has a

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1 long and successful history of working with
2 the Corps to develop and implement policies,
3 projects, and programs that advance the Corps
4 civil works mission as well as reflect the
5 associations goals to preserve America's
6 coast.

7 A key element in this joint effort
8 has been the P&G as the basic foundation for
9 many of the Corp efforts and our interest.
10 While ASBPA feels that there is room for
11 improvement to the P&G the association also
12 recognizes that the effectiveness of the P&G
13 in its current form has permitted the Federal
14 Government and non-Federal sponsors to partner
15 on important projects that reflect the
16 interest of the nation and of local and
17 regional stakeholders.

18 The P&G has established a clear set
19 of parameters for determining project
20 worthiness, but it also allows for enough
21 flexibility for formulation of projects that
22 provide for economic, environmental,

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1 recreational, and national economic
2 development benefits.

3 It is ASBPA's hope that the
4 proposed revisions will maintain this balance
5 between set parameters and flexibility.

6 As the Corps moves forward with
7 revisions ASBPA agrees with Secretary
8 Woodley's decision that the initial phase of
9 the effort focus on the standards that
10 underlie water resource planning for Corps
11 civil works projects.

12 The existing standards found in
13 chapter one of the current P&G described the
14 planning process as it should be used to
15 produce sound recommendations and decisions.
16 ASBPA's first recommendation is to adopt
17 revisions to the P&G that promote the use of
18 regional or watershed management into the
19 planning, design, construction, operation, and
20 maintenance of projects.

21 The current civil works strategic
22 plan which has been endorsed by OMB embodies a

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1 watershed approach. The P&G should be revised
2 to clearly reflect this approach. Regional or
3 watershed management is a systems approach to
4 formulating and managing water resource
5 projects. It applies to the planning and
6 design of projects as well as to their
7 construction, operation, and maintenance.

8 Planning projects by region
9 facilitates collaboration with state and local
10 Governments as well as other stakeholders. It
11 encourages opportunities to improve the
12 effectiveness of projects, reduce their long-
13 term costs, and integrate projects that
14 otherwise would be treated as disparate
15 elements of different Corps business programs.

16 ASBPA's next recommendation is that
17 the revised P&G emphasize the importance of
18 collaboration with non-federal sponsors, other
19 Federal agencies, state agencies, local
20 Governments, and tribes as the norm in the
21 formulation of water resource projects.

22 Different perspectives and a more

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1 comprehensive discussion and evaluation of
2 complex problems interrelated concerns and
3 potential projects are more likely to occur
4 with a collaborative approach.

5 In addition to the public
6 stakeholders when appropriate, private
7 organizations or private stakeholders should
8 also be included in the collaborative process.

9 The Corps should take advantage of
10 it's unique planning capabilities to move
11 beyond just the Corps interests and embrace
12 solutions that reflect the full range of the
13 Federal and non-federal interests. In the
14 revised P&G this collaborative approach with
15 other Federal agencies as well as with state,
16 regional, and local interests should be
17 strongly encouraged especially for complex
18 studies with multiple issues and needs.

19 I must add though that both the
20 watershed and collaborative approach
21 recommendations I have just mentioned add time
22 and cost to the planning process. While these

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1 factors cannot be addressed in the revised
2 P&G, Federal policy makers need to provide
3 sufficient funding to enable the watershed and
4 collaborative approaches.

5 Rest assured ASBPA will continue to
6 advocate before Congress for the highest
7 possible funding amounts for policies and
8 programs that will preserve and protect
9 America's coastlines and promote our counties
10 water resource needs.

11 ASBPA's third recommendation
12 encourages the Corps to include revisions that
13 implement multi-objective plan formulation.

14 First, projects should be
15 formulated to maximize all national and
16 regional economic development benefits,
17 environmental benefits, and social benefits
18 with a strong emphasis on public safety.

19 Second, such formulations should be
20 based on the standards set forth in the
21 revised P&G without regard for administration
22 budgetary policy. The current P&G includes

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1 four accounts to be used in evaluating water
2 resource projects: national economic
3 development, environmental quality, regional
4 economic development, and other social
5 effects.

6 However, the current P&G formulates
7 projects for the single purpose of maximizing
8 that national economic development benefits.
9 ASBPA recommends that the revised P&G build on
10 longstanding Congressional policy as well as
11 the needs of our contemporary society and
12 require that all appropriate national benefits
13 be included in the formulation of water
14 resource projects.

15 Shore protection projects should be
16 formulated to maximize all national benefits
17 on an equal basis including recreation
18 benefits, environmental benefits, as well as
19 public safety benefits, and other social
20 benefits.

21 The optimized plan should be
22 identified and provided to Congress. For many

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1 years administration policy has placed a low
2 value on recreation benefits. Not to mention
3 the low value it has placed on providing
4 protection for America's coast.

5 The administration could still
6 recommend a lesser plan for Congressional
7 authorization based on administration
8 budgetary policy, however Congress would then
9 have the opportunity to authorize and
10 therefore fund the more comprehensive plan
11 with greater net benefits to the nation.

12 In addition, given the difficulties
13 in assessing the weight which should be given
14 to some project purposes ASBPA recommends that
15 the revised P&G permit flexibility in
16 evaluating those purposes, but continue to
17 require full disclosure of any risks or
18 uncertainties that may be associated with the
19 proposed project plan.

20 Additionally water resource
21 projects are formulated using various models
22 which predict project output such as

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1 environmental benefits. Actual outputs must
2 be carefully monitored to ensure they are
3 actually realized. In as much as the project
4 may perform differently than predicted by the
5 model, adaptive management should be
6 incorporated into plan projects to
7 periodically evaluate a projects performance
8 and provide an opportunity for adjustments if
9 necessary.

10 ASBPA's fourth and final
11 recommendation is to encourage certification
12 and use of planning models. P&G should be
13 revised to support the current Corps
14 initiative to carry out a certification
15 process to review, improve, and validate
16 analytical tools and models for Corps business
17 programs.

18 The expectation is that certified
19 models used to support planning studies in the
20 future will be accepted by independent
21 technical reviewers. It is ASBPA's
22 recommendation that once acceptable planning

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1 models have been certified non-federal
2 sponsors will no longer have to participate in
3 the cost of model development or certification
4 for individual projects.

5 I again thank the Corps for
6 allowing me to appear here today. ASBPA
7 appreciates the opportunity to provide
8 comments on this important matter and we
9 welcome any questions or comments you may
10 have. Thank you.

11 MR. BURNS: Good morning Mr.
12 Secretary. My name is John Burns and I'm a
13 Senior Advisor at Dawson & Associates,
14 representing our client Tierra Solutions.

15 It's a pleasure to be here with you
16 this morning to talk about this important
17 initiative and we welcome and applaud your
18 leadership in moving so quickly on this Mr.
19 Secretary to get this done.

20 The P&G is an excellent document
21 and the P&S has served the nation well for the
22 past two and a half decades since they were

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1 enacted by President Reagan in 1983. But due
2 to changing circumstances and priorities they
3 are in need of updating as you and General
4 Riley have indicated and many of the speakers
5 today.

6 We've reviewed the principles and
7 standards based on our experience in the
8 Passaic River restoration project. And based
9 on that we have several recommendations that
10 we would like to present to you.

11 Our goal in making these
12 recommendations is to achieve a cost-
13 effective, comprehensive solution for
14 restoration of the Passaic River.

15 I guess the advantage and
16 disadvantage of going last is most of your
17 recommendations have already been discussed in
18 a lot of detail, so I'll be a little brief and
19 just basically state the objectives rather
20 than go into the background of them.

21 Our first recommendation deals with
22 the single purpose planning objective of

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1 national economic development. And like the
2 many speakers before us we are also very
3 supportive of expanding the principles and
4 guidelines to include ecosystem restoration as
5 a co-equal planning objective.

6 We're also very supportive of
7 collaborative multi-objective, comprehensive
8 watershed based planning. We think that is
9 really the way to go and as General Riley
10 indicated and Mr. Prather, you're already
11 looking at many of those activities.

12 Second, we also know that the
13 principles and standards does not acknowledge
14 human health and safety as a relevant
15 objective and many of our -- the speakers
16 before me have indicated the importance of
17 that. We find that also important in the
18 Passaic River and recommend that human health
19 and safety be treated as a co-equal objective
20 in the principles and standards as you move
21 forward with it.

22 Our third and final area, one that

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1 may not have been discussed so far is the use
2 of incremental analysis. Traditionally in our
3 core analysis incremental analysis is very
4 important particularly for our economic
5 outputs. But when we combine that with
6 ecosystem or health planning or water quality
7 planning that tends to be standards based and
8 tends to be treated as a constraint on the
9 planning process rather than as a target or
10 objective to be incrementally moved towards
11 with cost for these incremental changes,
12 traded off against costs given up in other
13 areas.

14 So we would recommend that the
15 principles and standards be revised to
16 encourage expanded use of incremental analysis
17 and not standards or targets that must be set
18 as constraints on the planning process.

19 Mr. Secretary again, thank you for
20 your leadership and the opportunity to speak.

21 P&G has served us well for the last two and a
22 half decades and the work you're doing from

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1 here on out hopefully will chart the course
2 for the next two and a half decades. Again,
3 thank you so much. I appreciate the
4 opportunity.

5 FACILITATOR APOSTOLICO: We've only
6 had one wait list person so I'm going to ask
7 David Conrad if he'd like to come forward.
8 National Wildlife Foundation -- Federation.

9 MR. CONRAD: Thank you, gentlemen.
10 Good morning my name is David Conrad. I
11 serve as Senior Water Resources Specialist for
12 the National Wildlife Federation in
13 Washington, D.C.

14 The Federation is the nation's
15 largest conservation education and advocacy
16 organization with four million members and
17 supporters across the nation, affiliate
18 conservation organizations also located in 46
19 U.S. states and territories.

20 We are pleased to be here today at
21 the beginning of a process that we have long
22 believed was critically needed, the revision

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1 of the planning process for water resources
2 development. It has been more than a quarter
3 century since the principles and guidelines
4 have been revised. The Federation was deeply
5 involved in past iterations of both the
6 principles and standards and the P&G and we
7 have come to see a substantial need for
8 modernization of these rules as well overdue.

9 We also helped lead, along with
10 other conservation, civic, tax payer, and
11 professional organizations over the past
12 decade in seeking many of the policy reforms
13 that were included in the 2007 Water Resources
14 Development Act including Section 2031.

15 We see this as one of the most
16 profoundly important exercises that the Corps
17 and other Federal water resource agencies will
18 be involved in.

19 One, because we believe the current
20 system is failing to responsibly address the
21 nation's current and water resource needs.
22 And two, to help reset the critical direction

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1 of our nations water resources for the next 30
2 to 50 years.

3 Today we are submitting written
4 comments and suggestions on behalf of the
5 Federation as well as 36 other national,
6 regional, local conservation organizations.

7 I would like to address first
8 concerns about the revision process as it has
9 been identified thus far. Second,
10 expectations and context we see surrounding
11 these revisions. And third, some of the basic
12 principles we believe should be at the heart
13 of new revisions as they are being developed.

14 Mr. Secretary, our first and most
15 immediate concern is that from what we see, in
16 the description of the May 8th Federal
17 Register, we believe the process is
18 unacceptably truncated and seriously lax in
19 the open and thoughtful analysis and
20 deliberation we believe is essential to
21 accomplish the purposes of these WRDA
22 provisions.

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1 We urge that this process be
2 substantially modified with much more time
3 allotted, especially at the front end for
4 studies and inquiry and consideration and
5 communication that is essential. We are quite
6 concerned about proceeding to rule changes
7 before a clear record on the underlying
8 problems has been developed.

9 It has been 25 years since the P&G
10 was first established as a replacement for the
11 P&S. Since that time the nation has
12 experienced huge changes in our economy, our
13 environment, and our water resources needs.
14 The demands being made on our water resources
15 have changed and have increased substantially
16 and continue to increase and change while many
17 critical ecological systems continue
18 alarmingly to decline.

19 We believe the these changes
20 mandate a fundamental transformation in the
21 direction of the P&G. A transformation that
22 was clearly recognized by Congress in WRDA

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1 2007.

2 In the WRDA Congress set new
3 policies for WRDA projects with important
4 clarifications that all water projects should
5 reflect national priorities and encourage
6 economic development and protect the
7 environment by seeking to -- among other
8 things -- maximize sustainable economic
9 development. Avoid the unwise use of flood
10 plains. Minimizing adverse impacts and
11 vulnerabilities, protecting and restoring the
12 function of natural systems, and mitigating
13 any unavoidable damage to natural systems.

14 This new national policy will
15 require the Corps projects place a
16 significantly stronger emphasis on protecting
17 healthy rivers, flood plains, wetlands,
18 coastal environments that protect and sustain
19 communities.

20 In mandating the P&G revision we
21 also believe Congress contemplated a full and
22 open and comprehensive deliberative process.

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1 It has directed the Corps to consult with all
2 the other Federal agencies involved with water
3 management and water experts and the public.
4 And allow two full years for that undertaking.

5 Congress specified that revised --
6 that the revised P&G explore and utilize new
7 approaches and methodologies. To properly
8 implement any of these new policies and
9 approaches will require a careful evaluation
10 of the current methods of planning and
11 evaluation, a review of the provisions of the
12 existing P&G that would work against the new
13 policies and development of a clearer
14 consensus view of the nations future water
15 resources needs especially with the added
16 factors of increasing impacts of urbanization
17 and growing threats of climate change.

18 In addition to that the new P&G
19 will have to assist in prioritizing and
20 winnowing the field of legitimate Federal
21 projects due to an unprecedented 80 billion
22 dollar -- various estimates -- backlog,

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1 growing rehabilitation needs, existing
2 environmental problems, and increasing
3 environmental problems, and extremely limited
4 funding.

5 Against this backdrop our
6 conservation organizations believe the current
7 proposed plan to release draft revisions in a
8 few weeks fails to provide for the open
9 deliberation that is necessary to the revision
10 process.

11 We are concerned that the truncated
12 and relatively closed process will unduly
13 narrow the scope of the evaluations and
14 considerations that are essential for
15 producing the next generation of P&G.

16 We are also concerned that the
17 stated plan to separate the principles and
18 standards section from the remainder of
19 guidelines will perhaps improperly bifurcate
20 consideration of basic elements that are best
21 considered together.

22 These concerns are even more

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1 pressing as we understand the Secretary -- we
2 have heard that the Secretary has already
3 delivered a draft of proposed revisions to
4 other Federal agencies without advanced
5 opportunity for input and very little time to
6 respond with comments.

7 Sound revisions to the P&G will
8 necessitate a clear understanding of the
9 overarching water resources issues and
10 challenges currently facing the nation. And
11 an understanding which needs to be developed
12 and tested as part of this revision process
13 will almost assuredly require a commission of
14 key studies and require the engagement of a
15 broad range of experts, academics, economists,
16 scientists, and other Federal agencies, and
17 Governmental entities, and the public as was
18 the case with the previous P&S and P&G
19 formulations.

20 For instance, we would urge the
21 Secretary to study and report on why so few
22 non-structural project formulations have

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1 emerged from the existing P&G process and what
2 changes are needed in the P&G to limit the
3 overestimation of traffic during feasibility
4 studies compared with actual subsequent
5 experience.

6 The process must also ensure
7 adequate time to address and discuss the
8 numerous problems with the P&G and planning
9 processes that have been identified in reports
10 issued by the National Research Council of the
11 National Academies, the Government report
12 Accountability Office, the Department of the
13 Army Inspector General and others.

14 These important steps clearly
15 cannot be accomplished in the approximately
16 one month before moving to a draft and
17 comments stage contemplated in the current
18 schedule. We strongly urge the Secretary to
19 take the fullest possible advantage of this
20 important and long-awaited opportunity by
21 formulating a well designed, open, thoughtful,
22 and deliberative process to inform the

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1 revision process.

2 We would also urge that the effort
3 -- and this is a comment that I think some
4 others have made at this point -- also urge
5 that the effort be fully coordinated and
6 integrated with other Federal water related
7 programs and formulated so that they can be
8 easily adopted on a uniform basis by other
9 resource agencies at some point in the future.

10 It -- well on the substance our
11 organizations believe that the nation requires
12 a fundamentally new approach to water
13 resources planning that places the primary
14 emphasis on project planning on protecting and
15 restoring the nations water resources.

16 Such a shift is necessary because
17 for decades we have focused almost exclusively
18 on economic development while the ecosystem
19 functions and the environment have been
20 allowed to seriously deteriorate. Today this
21 condition is undermining the long term
22 sustainability of many critical natural

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1 resources. This can in part be linked back to
2 the P&G and how it has been implemented.

3 While these approaches have
4 produced some positive economic benefits for
5 the nation, they have also caused significant
6 damage to the nation's rivers, streams, and
7 wetlands. This in turn has caused major and
8 significant damage to fish and wildlife,
9 increased flood risks for many communities,
10 reduced water quality, impaired recreational
11 opportunities, and damaged economies that rely
12 on a healthy environment.

13 Transformation of the nation's
14 rivers brought about by the Corps levees,
15 dams, and dredging projects are among the
16 leading reasons that the North America fresh
17 water species are disappearing five times
18 faster than land based species, and as quickly
19 as rain forest species. Indeed the damage is
20 so wide spread that the natural resources or
21 National Research Council has called for
22 establishment of a national goal to restore

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1 riparian functions along American rivers.

2 The current approach to project
3 planning is not ensuring protection of the
4 environment despite the Corps explicit
5 environmental protection mission. And
6 specific environmental mission programs and
7 projects.

8 To the contrary two National
9 Academy of Sciences panels and the Department
10 of the Army Inspector General have concluded
11 that the Corps has an institutional bias for
12 approving large and environmentally damaging
13 structural projects and that it's planning
14 process lacks adequate environmental
15 safeguards. That would be a third area that I
16 think a focused inquiry into makes good sense.

17 Those are findings from outside entities that
18 the Corps needs to look internally to find out
19 if it's true and why and identify that as an
20 explicit out-front finding to inform this
21 process.

22 I think too many of the studies

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1 that have been done have been done by outside
2 the Corps entities and part of the job here to
3 is to work with the Corps, have the Corps be a
4 major player in identifying where these
5 weaknesses may be.

6 All right, stop.

7 FACILITATOR APOSTOLICO: Last
8 comment.

9 MR. CONRAD: Okay, I'll just say we
10 can no longer afford the status quo or some
11 minor amendment of the status quo approaching,
12 approach to the planning process. A healthy
13 future demands fundamentally different
14 approaches to project planning based on at
15 least the following principles.

16 Maintaining and restoring the
17 health of our nations rivers, streams, and
18 wetlands, and the many ecosystems services
19 they provide should be the highest priority
20 for project planning.

21 All projects must be designed to
22 work with and maintain the integrity of

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1 natural systems including a river's natural
2 instream flow to the maximum extent possible.

3 No project should be proposed or
4 constructed unless it has been fully and
5 comprehensively evaluated to ensure that the
6 project will not put the public at risk.

7 No project should be proposed or
8 constructed unless the Corps has fully and
9 independently analyzed, evaluated, and
10 properly defined the problem that needs to be
11 addressed.

12 In many cases we've seen examples
13 where the definition of the problem was really
14 a local definition. The Corps has a
15 responsibility of looking at it -- these cases
16 from a national perspective. So that needs to
17 be looked at carefully in this process.

18 If a portion of a problem could be
19 addressed through non-structural approaches
20 then any further study should include those
21 non-structural approaches as the first
22 mandatory elements in any plan recommended by

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1 the Corps and simply -- and similarly no
2 structural project should be constructed if a
3 non-structural approach would solve the
4 problem.

5 Two more points. Projects that
6 encourage development in undeveloped flood
7 plain areas should not be considered or
8 constructed. This is a standards issue and we
9 have the -- we currently have a P&G which has
10 very few standards. I think that -- well I
11 would challenge this exercise to begin to try
12 to identify some standards that will help with
13 these principles.

14 Future trends should be used to
15 economically justify a project only if
16 projected future trends is based on
17 established and demonstrated current trends
18 and are projected only for limited periods
19 into the future.

20 Okay, well we believe that the
21 nation requires a fundamentally new approach
22 as I've said that places the primary emphasis

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1 on protecting and restoring the nation's water
2 resources.

3 We urge that the revisions to the
4 P&G produce this vital shift and that the
5 Secretary establishes a full and open process
6 for ensuring the most effective revisions to
7 this long-outdated P&G. Thank you.

8 FACILITATOR APOSTOLICO: I wanted
9 to let everyone know the schedule. What we're
10 going to do now is take a short break and then
11 we will have anybody who hasn't had a chance
12 to speak and you'd like to please sign up on
13 the wait list. And then we're going to open
14 the phone line up.

15 So those of you on the phone line,
16 I know you can hear me. Could you please
17 notify the operator if you'd like time to
18 speak and we will allocate time for the phone
19 line after the break.

20 I'd ask that everyone be back at
21 10:45 a.m. to start back after the break.
22 That should give everyone enough time to check

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1 those cell phone messages. Thank you.

2 (Whereupon, off the record from 10:22
3 a.m. until 10:45 a.m.)

4 FACILITATOR APOSTOLICO: I've had
5 numerous questions at the break about
6 transcripts and comments that have been turned
7 in.

8 We have two transcribers and it's
9 our understanding that we should have the
10 transcriptions and be able to post them by the
11 end of next week, that's an anticipated date.

12 Secondly, comments, those will also
13 -- as long as no one objects your comments,
14 your written submitted comments will also be
15 posted on the Army Corps website and you'll be
16 given a link to that or access to that.

17 MR. PRATHER: If they want their
18 email address here we'll notify them where
19 they can find that posting.

20 If you want to be notified where
21 the posting is make sure we have your email
22 address. So -- or a telephone number that we

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1 -- I guess we'll have to publish that by email
2 where it is so please leave your email
3 address.

4 FACILITATOR APOSTOLICO: And I know
5 a few people entered during -- while the
6 session was going on and not everyone signed
7 in. As we said, please sign in so there's a
8 record of you being here and also so that we
9 can make sure you get any updated information
10 that's released.

11 The telephone -- there's no one on
12 the telephone that would like to make comment
13 at this time. So we have two speakers left
14 this morning, Dr. Dickey and Chad Berginnis.
15 So --

16 MR. DICKEY: Good morning
17 gentlemen. I appreciate the opportunity to
18 speak to you. I am speaking on behalf of
19 myself. Many of you know I'm involved in many
20 little activities serving many masters. I'm
21 also a professor of economics at Loyola
22 College.

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1 And I want to speak from my
2 perspective as having had long involvement in
3 the P&S. The first thing I did when I came to
4 work for the Department of the Army was to
5 work on producing the first version of
6 principles and standards in 1973.

7 So I've been through it all three
8 times. First of all I -- you know the same
9 themes of course keep coming out. We could
10 have had this meeting in 1973. And I think
11 one of the things that one needs to keep in
12 mind is be careful what you ask for because
13 you may get it. And then that becomes the
14 issue of complexity.

15 The last P&G was the product of the
16 Reagan Administration and one of the great
17 motivations was that the previous versions of
18 the P&G previous version was simply too
19 complicated. It had too many requirements and
20 it specifically had arbitrary requirements
21 which drove people crazy.

22 And so be careful as I said -- as

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1 you add objectives and so forth. It is good
2 to add objectives, but don't require an EQ
3 plan when ecological restoration is really not
4 the issue. That if you do do that you create
5 a lot of resentments. People don't want to
6 pay for that. It makes the planning process
7 terribly complicated.

8 I remember in the Carter P&G we
9 were required to have a primarily non-
10 structural plan. Well nobody could really
11 figure out what a primarily non-structural
12 plan was for commercial navigation. The
13 problem was people wanted a deeper channel and
14 it's just hard to figure out how you could
15 realize the navigation benefits that come in -
16 - and so, you know be careful again that you
17 don't impose arbitrary requirements as you add
18 objectives and as I said there's always a cost
19 to everything. There is no free lunch and
20 adding more objectives complicates what is
21 already a very complicated planning process.

22 Ecosystem restoration, I'm sure

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1 what I have to say won't be popular with a lot
2 of people for various reasons. One is that
3 ecosystem restoration has to be viewed in the
4 context of climate change. And we really --
5 as we look to shifts in ecosystems and
6 movement of species and so forth we really
7 have to ask ourselves what does ecosystem
8 restoration mean, okay.

9 It doesn't do any -- if you focus
10 on restoring habitats for species and so
11 forth, species that aren't going to be there
12 when you're finished because the move, you
13 know. They move North, or whatever.

14 So the other aspect of climate
15 change is in the case of navigation planning.
16 I just finished participating in a National
17 Transportation Research Board panel that dealt
18 with navigation, transportation and climate
19 change and one of the things that became clear
20 to me is that as a result of climate change,
21 if the kinds of predications come true that
22 seem to be most likely, there will be opening

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1 of the Arctic routes, there'll be changes in
2 crop distribution patterns. All of that has
3 tremendous implications for the kinds of
4 benefits that are associated with navigation
5 improvements, whether they be deep water or
6 inland systems.

7 And so I think that -- that may be
8 an issue at the level of procedures perhaps.
9 But I think the concept of when you talk about
10 people, they say well I've got to incorporate
11 climate change, I think you have to -- I think
12 it has big implications for what we -- for
13 this concept of ecosystem restoration.

14 I would also remind folks that
15 ultimately these projects have to compete in
16 the budget process. And every report, every
17 plan has to contain the information that's
18 going to allow them to successfully compete in
19 the budget process. It doesn't do any good to
20 do a study that's not going to ever be
21 budgeted.

22 The other point that I would make

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1 is that the planning guidance is just one
2 element in producing a good plan. That my
3 experience in the context of many objects is
4 that there's very little connection between
5 what is actually done in the planning process
6 and what the guidance plan -- the guidance
7 directs be done.

8 And certainly that became clear to
9 me when I read the history of the New Orleans
10 project, the report that was done by Leonard
11 Shabman and Woolley on the history of the
12 planning of that project. And certainly my
13 own experience in working on the Everglades
14 suggested there's very little connection to
15 what the written guidance is and what planners
16 actually do.

17 So don't look to changes and
18 particularly at this level of the P&S to
19 produce the kind of results or improvements,
20 however you may define them that you
21 anticipate.

22 Good project planning is much more

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1 than just issuing planning guidance. Unless
2 that planning guidance is complemented by the
3 right kind of incentives whether they be cost-
4 sharing incentives or management incentives
5 you're not going to be getting the kinds of
6 plans that I think many people think we ought
7 to get.

8 And I just would close by saying
9 that I gave some of you and I have a couple of
10 others here. This is a little pamphlet I
11 produced on the P&G. I tried to get the Corps
12 to put it out and I couldn't interest anybody
13 in it so I just put it out on my own.

14 And it's about the P&G. The P&G is
15 a really powerful and sophisticated planning
16 framework. It's the best around really, okay.

17 So what we're talking about are really
18 marginal adjustments to a very sophisticated
19 notion.

20 You know there are very few
21 planning frameworks which have a consistent
22 stance. Where you account for all the

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1 benefits and cost. Where you begin on the
2 presumption, as Larry said, that you don't
3 presume that something needs to be done, okay.

4 That everything that comes out of
5 the Corps planning process should be based on
6 a incremental justification. There should be
7 a rationale for everything and that's a really
8 powerful and different kind of approach to
9 problem solving.

10 And so I think we need to
11 appreciate you know the qualities of what we
12 have already as we proceed to indeed modify it
13 to respond to our modern understanding and
14 modern values. Thank you.

15 MR. BERGINNIS: Good morning, my
16 name is Chad Berginnis and I am representing
17 the Association of State Flood Plain Managers
18 on this particular issue.

19 The Association of State Flood
20 Plain Managers have established a long and
21 mutually beneficial relationship with the Army
22 Corps of Engineers and other Federal agencies.

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1 Our 12,000 members represent all facets of
2 Government especially at the local and state
3 levels as well as the private sector.

4 The state and local Governments are
5 really the Federal Governments partners when
6 it comes to managing and protecting the
7 nation's water resources.

8 The ASFPM fundamentally believes
9 that the Congressionally directed review and
10 update of principles and guidelines now
11 underway ranks as among the most significant
12 activities related to water resources that
13 have been undertaken by the Federal Government
14 in the past 30 years.

15 Coincidentally we also face some
16 unchartered territories in terms of explosive
17 growth in population and also the limits of
18 what our natural resource systems can support.

19 To meet these challenges head on will require
20 bold and imaginative adjustments today.

21 In the P&G, just like the last
22 speaker had mentioned is certainly one of the

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1 most sophisticated techniques around and tools
2 that are out there. In my day job so to speak
3 I work with the State of Ohio and work with
4 FEMA mitigation programs and I can tell you,
5 that from a project planning perspective and
6 from a comprehensiveness in terms of
7 evaluation the Corps process through the P&G
8 is something certainly the most sophisticated
9 that's out there.

10 My first comment that we have is
11 the ASFPM is in terms of this particular
12 process. We urge that the revisions to the
13 P&G be accomplished in a deliberative and open
14 fashion. From our perspective the update
15 process appears to be on a fast track with
16 insufficient time allotted to shape and
17 deliberate carefully about the proper course
18 of this revision.

19 We're concerned that the release of
20 any Corps proposal this summer may derail an
21 open and deliberative process that could lead
22 to an overly protective stance that would

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1 limit open discussions.

2 Before any such release we do
3 believe that there is a need to assess and
4 come to consensus on a list of overarching
5 issues and perhaps commission necessary
6 investigation to shape these recommendations.

7 We're not an organization that
8 promotes an over study of issues, but a
9 revision of something this fundamental and
10 significant such as the P&G should not be
11 rushed.

12 Because the revisions contemplated
13 now clearly will guide water resource
14 decisions for 30 to 50 years in the future,
15 simplistic modifications will not be in the
16 nation's best interest.

17 Next I'd like to at least recognize
18 our national accomplishments, unintended
19 impacts to national priorities. For the last
20 75 years the nations invested in water
21 resources in order to expand human populations
22 from coast to coast. We've developed along

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1 and with our water resources and this policy
2 has allowed our nation to leverage a seemingly
3 infinite water resource base to influence
4 where and how the population settled, expand,
5 and support security and wants for most
6 regions and help the U.S. to a super power
7 status during the 20th century.

8 As a nation we have reached
9 divisions set forth by policy makers of the
10 early 20th century and I think we can declare
11 ourselves successful in this achievement.

12 Now it's time to realize that this
13 success has brought unintended but significant
14 consequences. Once abundant water resources
15 such as estuaries and riparian zones have paid
16 silently for the progress that today and many
17 are in serious decline.

18 Too often we as a nation have
19 facilitated keeping communities at risk while
20 giving insufficient consideration or allowance
21 for alternative approaches that might improve
22 long term public safety and economic

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1 sustainability.

2 As a nation our collective values
3 and priorities have changed over time. The
4 cumulative results of growth and development
5 have led to a noticeable degradation of the
6 environment by the 1970's and in response many
7 environmental laws were passed.

8 When P&G were being developed in
9 the early 1980's we were still trying to
10 digest these laws and determine their impact
11 not knowing what adjustments might need to be
12 made in the future. Since then there's been a
13 growing recognition of the importance of a
14 healthy global environment, the extent which
15 natural functions of regional ecosystems
16 affect the human communities that rely on
17 them, and then the necessity for protecting
18 those linkages in order to ensure individual
19 well-being.

20 The sense of manifest destiny that
21 accompanied the nation's growth base has now
22 been replaced by national dialogue about

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1 maintaining our existing communities and an
2 acute awareness that investment decisions must
3 be made in a more strategic way.

4 We now need to think of our water
5 resource development in terms of
6 sustainability. We have an awful lot of
7 infrastructure that's out there. An awful lot
8 of it that's aging and we simply will not have
9 the resources to fund all of the priorities
10 that we have in the future.

11 So in terms of adjusting the course
12 how might we do that. We first would suggest
13 that we adopt a more strategic approach. This
14 will require establishing elements not
15 currently found in our water resource
16 investment tools. Broad national goals that
17 collectively will make a difference in the
18 long term sustainability of our society and
19 give priority to those projects and approaches
20 that best meet these goals.

21 Sustainable actions and the ability
22 to adapt to a rapidly changing world should

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1 become the cornerstones of our next policy
2 paradigm. They must take precedence over pure
3 investment mind set of the 20th century.

4 For the first time we would be
5 moving from an era of harnessing abundant
6 resources into an age of creatively managing
7 limited resources for an ever-growing
8 population.

9 In terms of refocusing the
10 principles and standards couched with the
11 framework and goals that promote sustainable
12 and adaptive projects the ASFPM urges
13 consideration of the following accounts in a
14 revised P&G: ecosystem restoration, public
15 safety, other social effects, environmental
16 quality, and national economic development.

17 However, unlike current P&G
18 procedures NED would not be the account that
19 drives decisions; rather it would be at most
20 co-equal with the other accounts.

21 As demonstrated in recent disasters
22 maximizing short-term economic gains can

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1 result in the loss of life and personal ruin
2 that can cripple an entire region. Attempting
3 to blend and monetize these impacts through a
4 single economic analysis might lead to a
5 number, but this number does not speak to the
6 tradeoffs made in the decision making process.

7 Many of the qualities, functions,
8 and resources that were thus traded off are
9 irretrievable and their loss has a permanent
10 impact on our nation.

11 What's more, there are significant
12 and unaccounted for investment costs lying
13 further down the road when it is finally and
14 publicly acknowledged that such natural
15 resources are in peril whereupon restoring
16 degraded areas if that's even possible becomes
17 a national priority.

18 How much could we have saved, if as
19 a nation, at the outset water resource
20 development projects, such as the Florida,
21 Everglades, or coastal Louisiana had been
22 planned and designed within a framework in

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1 which environmental quality and resource
2 protection were at least equally important as
3 NED. Perhaps it would have been necessary to
4 spend the billions of dollars now required to
5 restore these ecosystems.

6 A public safety and other social
7 effects account is likewise extremely
8 important because we are now in a dangerous
9 path of which there is no minimum safety
10 threshold for flood loss reduction projects.

11 A public safety and other social
12 effects account needs to incorporate the
13 concept of a minimum safety standard for water
14 resource projects.

15 For example, minimum design
16 standards for levees and dams or safety and
17 terrorism related measures for transportation
18 features such as navigation structures.

19 Similarly other aspects of the that
20 account that need to be developed more
21 thoroughly. Our society now places great
22 value on community cohesion, historic

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1 preservation, social environmental justice,
2 long term health impacts from disasters and
3 similar attributes, but there's really been
4 very little research and development and
5 therefore guidance on the other social effect
6 accounts.

7 Our investment decisions for the
8 21st century must focus on prioritizing what
9 we need to accomplish with the funds and
10 energy we dedicate to our water resources.

11 Economic development and growth is
12 important but ASFPM cautions that continued
13 focus on NED has led and inevitably will
14 continue to lead to unsustainable and
15 expensive attempts to manage our water related
16 resources and hazards.

17 In conclusion, we must acknowledge
18 that we have leveraged virtually all of our
19 water resources to promote development and
20 this has taken place at a significant and
21 perhaps unjustifiable cost to our water based
22 ecosystems and to public safety. Correcting

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1 this imbalance is a critical priority to the
2 nation in the 21st century. The decisions
3 being made as part of the process of an
4 arising P&G will effect our water resource
5 investments for the next 30 to 50 years. This
6 is the time to move forward towards goal-based
7 outcomes. It's the time to have a national
8 discussion about the nation's water resources
9 and economic policies and it's the time to
10 rectify the imbalance in the accounts that
11 drive decisions about how our nation's water
12 resources will be managed in the future.

13 The ASFPM stands ready to engage in
14 cooperative discussions about revisions to the
15 P&G. And thank you very much, that concludes
16 my statement.

17 FACILITATOR APOSTOLICO: We have
18 one more speaker.

19 MR. VANLENT: My name is Dr. Thomas
20 Vanlent. I'm here on behalf of the Everglades
21 Foundation and the Everglades Trust. And I'd
22 like to offer comments on the principles and

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1 guidelines directed under WRDA 2007. These
2 revisions are long overdue and we think it's
3 imperative that the new principles and
4 guidelines reflect the values and concerns of
5 a majority of Americans.

6 The Everglades Foundation and the
7 Everglade Trust are on the front lines as it
8 where of the restoration of one of America's
9 premiere natural resources, the Everglades.

10 And so we're acutely aware of how
11 these principles and guidelines effect how we
12 do business on a day-to-day basis.

13 We have seen how past misguided
14 policies have resulted in enormous
15 environmental damage and the curation of
16 environmental quality that will require
17 investments of many billions of dollars to
18 rectify. We've also seen how these guidelines
19 stymy genuine Corps well intentioned efforts
20 and environmental restoration. So we would
21 like to offer the following constructive
22 criticisms on how these can be improved.

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1 The first is just the principles
2 and guidelines must recognize that
3 environmental restoration and enhancement of
4 environmental quality are valid objectives for
5 water resources projects. The current net
6 economic development doesn't do this. Yet
7 it's certainly the Everglades experience shows
8 how Congress has directed the Corps on several
9 occasions to undertake projects primarily for
10 the environmental benefits.

11 So this also acknowledges that in
12 the future the Corps portfolio of projects is
13 likely to include more and more projects whose
14 primary benefit is environmental restoration.

15 Secondly, we'd like to see the
16 principles and guidelines to include a
17 watershed approach. This is pretty basic
18 water resources planning. Most states have
19 tried to incorporate this type of approach.

20 The State of Florida for example,
21 has enshrined this principle into their water
22 law and is one of the fundamental planning

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1 criteria they use. They set up water
2 management districts on watershed boundaries.

3 The Corps piecemeal project by
4 project approach doesn't work to analyze all
5 the potential impacts of the project.

6 Next I think the principles and
7 guidelines should recognize that planning and
8 implementation are collaborative projects with
9 other Federal and non-federal organizations.
10 And the Corps role may depend upon who the
11 other partners are. As an example, again in
12 the Florida Everglades, a soft water
13 management district who are the non-federal
14 sponsors, and I see a representative here
15 representing them, so pleased to see that.
16 They often times have planning and technical
17 expertise that in many ways might exceed the
18 Corps on some local projects. And success in
19 these projects depends on each partner
20 contributing their strengths, not duplicating
21 each other or forcing one planning model to
22 take precedence over another.

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1 Lastly, we think the principles and
2 guidelines should acknowledge the procedures
3 associated with the principles and guidelines
4 may have to reflect the range of policy
5 objectives. There's not going to be a one
6 size fits all set of procedures that are
7 applicable to every single type of water
8 resources project.

9 Again, I'll use the Everglades as
10 an example. WRDA 2000 mandated that Corps
11 developed the programmatic regulations which
12 oversee the implementation of the
13 Comprehensive Everglades Restoration Project,
14 and these are an excellent example of how the
15 policies either tear off the principles and
16 guidelines that are well suited to the
17 implementation of a specific type of project.

18 So the principles and guidelines
19 should get away from the one size fits all
20 procedures document and recognize that there's
21 other ways to do things depending on the
22 project objectives.

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1 So we recognize the sincere -- the
2 extreme importance of these policies and
3 guidelines and think that this is a great
4 opportunity for the Corps to update not only
5 these principles and guidelines, but make them
6 reflect your mission that reflects the current
7 national priorities.

8 So thank you very much for your
9 consideration on this important issue.

10 FACILITATOR APOSTOLICO: That
11 concludes everyone who was signed up to speak
12 for this morning's session. Was there anybody
13 that for some reason didn't get a chance to
14 sign up and would like to speak?

15 (No audible response.)

16 FACILITATOR APOSTOLICO: Anyone who
17 felt they didn't get enough time and would
18 like to add any additional comments?

19 (No audible response.)

20 FACILITATOR APOSTOLICO: Wow, easy
21 crowd.

22 MR. PRATHER: Mary?

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1 FACILITATOR APOSTOLICO: Yes?

2 MR. PRATHER: I would like to
3 recognize that we've been joined by Noel
4 Gallehon from the Natural Resources
5 Conservation Service who's serving as one of
6 our Federal representatives today, and Noel
7 that's for being here.

8 FACILITATOR APOSTOLICO: Okay,
9 before I hand over the mike to Secretary
10 Woodley to make a few remarks I just want to
11 remind everyone that we will be reconvening at
12 1:00 p.m. And so there will be a new lottery
13 at 1:00 p.m. to open up public comment again.
14 And Secretary Woodley?

15 SECRETARY WOODLEY: Okay, thank you
16 Mary. My only purpose in speaking up at this
17 point is to express my profound appreciation
18 for all of the comments that have been
19 received today and to assure you that there
20 will be every opportunity that the time that
21 we've been allotted will provide to accept
22 further comments and my request -- and I can

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1 tell you that if the comments that we continue
2 to receive going forward are of the same
3 exceptionally high quality as the one's we
4 have been privileged to hear today then it
5 will make my job much, much easier as I
6 evaluate the proposals that are brought
7 forward in the course of this procedure, of
8 this revision process that we have.

9 And so I'm very, very grateful to
10 everyone who has come out today and would
11 encourage you to continue to participate and
12 to -- there's no idea that we're closing any
13 doors here today whatsoever. We want to
14 continue to hear further comments as we
15 proceed with the drafting process. So thank
16 you very much for coming out today. And thank
17 you Mary for your help today.

18 FACILITATOR APOSTOLICO: Okay,
19 that's going to conclude the morning session
20 and we will reconvene at 1:00 p.m. today. Or
21 the lottery will close at 1:00 p.m. today for
22 the afternoon session.

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1 (Whereupon, off the record from
2 11:17 a.m. until 1:00 p.m.)
3
4
5
6
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8
9
10
11

12 A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

13 1:00 p.m.

14 FACILITATOR APOSTOLICO: Good
15 afternoon and welcome to the public meeting to
16 hear suggestions from the public for revision
17 the economic and environmental principles and
18 guidelines for water and related land
19 resources implementation studies.

20 My name is Mary Apostolico and I'm
21 with SRA and I'll be facilitating this
22 session. I just wanted -- for those of you

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1 that weren't here this morning I'll briefly go
2 through the logistics of this afternoon.
3 Anyone who wants to speak please just sign up
4 on the sign-in sheet.

5 We've done a lottery of order to
6 speaking. We have two speakers signed up so
7 far. Excuse me, we now have three speakers
8 for this afternoon. Your name will be posted
9 up on the screen and you can come up and
10 speak. You have approximately ten minutes to
11 speak.

12 This will be a listening session.
13 The purpose of the panel here is to listen to
14 your comments and not engage into discussion
15 of the comments themselves.

16 Just a few things to note. The
17 proceedings are being transcribed to ensure
18 your comments are documented correctly.
19 Members of the press and others can listen to
20 comments presented during this meeting via a
21 teleconference and we will be opening the
22 phone lines up for comment if anybody is on

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1 the phone just please notify the operator that
2 you would like to make comments and we will
3 put you on the agenda.

4 And written comments for anybody
5 who brought them, written comments are due by
6 close of business today. You can send them by
7 email and the address is on your handout.

8 Are there any comments or questions
9 regarding the logistics for today?

10 (No audible response.)

11 FACILITATOR APOSTOLICO: Okay, I
12 would now like to introduce the Honorable John
13 Paul Woodley, Jr. Assistant Secretary of the
14 Army for Civil Works.

15 SECRETARY WOODLEY: Thank you Mary.

16 I want -- let me get my mike in place here.
17 I think I should -- it's only fair for me to
18 mention that I had to -- Don and I in fact
19 both had the privilege of going this past week
20 to the meeting of PIANC, which is the
21 Permanent International Association of
22 Navigation Committees which I'm the chair of

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1 the U.S. section and Don is the president.
2 And that meeting this year was in Beijing,
3 China and Don came back a little before I did.

4 I took the opportunity to spend a few more
5 days in China with the conference and the
6 upshot of it is that it is now 1:00 a.m. my
7 time and so I'm not sure how interactive I
8 could be even if that was our format.

9 But I will be listening very
10 carefully to everything that everyone says and
11 I want to say that the purpose here is to
12 gather ideas and input into the process that
13 has been mandated by the Water Resource
14 Development Act to create a -- to revise the
15 principles and guidelines applicable to the
16 Corps of Engineers and create a set of
17 principles and guidelines peculiar to the
18 Corps of Engineers as required by the Water
19 Resource Development Act of 2007 and that we
20 are -- we take that responsibility very
21 seriously and we will -- we are very anxious
22 to maximize opportunities for engagement and

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1 consultation and receiving ideas in this
2 meeting, in this session and hearing as we
3 call it -- I don't think we styled it a
4 hearing, it's a public meeting, thank you.

5 It is just one of many
6 opportunities that people will have to bring
7 forward their ideas. We felt it was important
8 to at least provide the opportunity for people
9 to come forward in person and express their
10 views as to what direction these revisions
11 should take and what themes we should stress
12 as we go forward with meeting our
13 responsibilities under the Water Resource
14 Development Act.

15 So I have really had a wonderful
16 session this learning. I learned an enormous
17 amount and could really have a great deal of
18 gratitude for the presenters from this morning
19 and I know that the same thing will be true
20 this afternoon.

21 I want to also ask that the -- or
22 turn the meeting over to General Riley. You

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1 know Don Riley I've had a wonderful privilege
2 of working with him for many years now, or
3 several years now as his capacity of Director
4 of Civil Works. Many of you know that he has
5 very recently been promoted, or at least
6 assigned a greater responsibilities of Deputy
7 Commander of the entire U.S. Army Corps of
8 Engineers.

9 So we have him here in that
10 capacity and also together with us is Seven
11 Stockton, Director of Civil Works our -- the
12 Corps is undertaking a little bit of a
13 revision in how we are organized for civil
14 works in that we're going to have the
15 structure used to be that general officer was
16 the Director of Civil Works and then the
17 senior civilian was the Deputy Director. But,
18 under our new concept we're going to have
19 another Deputy Commander for Civil and
20 Emergency and then -- and Steve has already
21 assumed duties of the Director of Civil Works,
22 as the senior official within the Civil Works

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1 program itself.

2 So that's -- we do not yet have a
3 decision from the Army leadership as to who
4 will fill the other Deputy Commander position,
5 but we're anticipating that hopefully fairly
6 soon. But we're in the meantime delighted that
7 Don can continue in the role that he has had
8 in providing leadership in the Civil Works
9 arena.

10 So Don?

11 MAJOR GENERAL RILEY: Thank you Mr.
12 Secretary and we really appreciate your
13 leadership over the many years and your
14 position as well as certainly for this update
15 of our principles and guidelines.

16 Well welcome again to those of you
17 who attended this morning and several new
18 faces this afternoon.

19 But these principles and guidelines
20 go back to 1983. Congress just directed us
21 this last year to update those and so we are -
22 - there's three components essentially. The

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1 principles, standards, and procedures. So up
2 front, in the beginning we want to lay the
3 ground work for the broad values in our
4 principles and standards. And then once we've
5 established those directions then to tackle
6 the more detailed procedures.

7 The -- as I said this morning it's
8 been a long process of deliberation really
9 since these are '83 principles. But in 1986
10 Congress gave us in Section 1135 of WRDA the
11 ecosystem restoration mission which was a
12 major adjustment to our direction and much
13 different than the '83 P&G, so just three
14 years later.

15 And then in WRDA 2000 Section 216
16 prescribed the National Academies to do
17 several studies of our planning -- of water
18 resources and since 1992, including those 216
19 studies we've had 18 National Academy studies
20 that have provided recommendations to us on
21 water resources planning.

22 If you look at our regulations and

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1 circulars we've incorporated many of those
2 recommendations. So this has been a long
3 dialogue and the of course since WRDA 2000
4 we've been in a pretty continuous dialogue
5 about Corps reform and other descriptors like
6 that where we have made adjustments to our
7 regulations since then.

8 And then just since this last two
9 years of National Academy of Public
10 Administrators have studies on the budgeting
11 processes for water resources planning. And
12 certainly in this last WRDA in 2007 with the
13 dialogue that went in preparatory to that and
14 the guidance that's in WRDA prescribes much of
15 the guidance that we've already incorporated.

16 And then you will see come out of
17 this revisions in the principles and
18 guidelines.

19 I mentioned this morning a quote
20 fro Aldo Leopold's land ethic about as he
21 talked about stewardship of land owners and
22 how they ought to be good stewards of the land

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1 that they own. That essay the land ethic, in
2 the last sentence of that says recognizes that
3 development will continue, but he states that
4 we should hardly relinquish the shovel which
5 after all has its many good points. But we
6 are in need of gentler and more objective
7 criteria for its use.

8 So, I think that's applicable to
9 the state we're in today. Looking for gentler
10 and more objective criteria for our water
11 resources planning in the Corps.

12 For instance, public safety is
13 something that we'll incorporate. We'll also
14 incorporate concepts of risk and uncertainty,
15 given uncertain future and especially when
16 you're dealing with ecosystems and water
17 resources. And then systems as space,
18 function, and time. Watersheds space, multi-
19 function, multi-purpose projects and then time
20 over the life cycle of a project. And then do
21 that in a most collaborative fashion. As
22 you know the Executive Branch we're working on

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1 several different papers. We have one that we
2 provided to other Federal agencies with some
3 of our initial thoughts on how this, the
4 principles and standards ought to be
5 structured. So we're working that now and
6 we'll have opportunities for continued
7 conversations certainly through the public
8 comment period and then even after that as you
9 provide us -- all of our stakeholders
10 contribute to this.

11 The -- again as Mary said we're
12 here to listen. We may ask questions to
13 clarify anything if we have a question about
14 understanding of your point. But our primary
15 purpose is to listen to the public. Capture
16 those so we can take those back and give it
17 more deliberate and reasoned response rather
18 than attempting to respond now peremptorily.

19 So with that I'll turn it -- I
20 think now over to Mr. Larry Prather.

21 MR. PRATHER: Thank you very much
22 General. We're pleased to see you all here

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1 this afternoon and receive your comments. And
2 as General Riley said we have time for an
3 ongoing conversation and we'll continue the
4 conversation. But when we do have a draft out
5 to the public I know it will be an opportunity
6 then that people can come in and talk to me
7 about that draft.

8 I wanted to just briefly recognize
9 -- we had more Federal representatives here
10 earlier today from the agencies and we have
11 Nick Marathon from the Agricultural Marketing
12 Service. They worked with us on the Users
13 Board and you know the '86 Act designated a
14 observer from the agriculture department and I
15 guess your boss is -- what your boss serves in
16 that role.

17 And we have Noel Gallehon from the
18 Natural Resources Conservation Service here
19 today and they work -- of course they are a
20 wonderful resources agency that has undergone
21 transformation just as the Corps has over the
22 years.

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1 And we have Terry Breyman from the
2 Council of Environmental Quality that's with
3 us today here. I appreciate you being here.

4 Mr. Dunlop, Mr. Woodley's
5 secretary. We have a young lady from OMB back
6 there that remind me your name -- Elizabeth.
7 Okay, and we also have Ben Simon from the
8 Department of Interior Office of Policy and
9 Betsy Cody, she's from the Congressional
10 Research Service.

11 So, did I miss any Federal -- we
12 had others from interior here today. Other of
13 interior and we had Ben Grumbles who was here
14 this morning from EPA for about an hour.
15 So we're working with the other agencies and
16 they are interested in this.

17 So I'd just like to begin -- this
18 is background information to put this in
19 context. What we're doing here is working on
20 our planning process and the planning process,
21 the backbone of it is fairly simple and I
22 would not expect that that part of it would

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1 change very much about how we approach that.
2 I mean one of the complaints is that the 1983
3 principles and guidelines you know is x number
4 of years old, 20 something, 25 years old. But
5 this problem solving process, if you threw it
6 out it would be sort of like saying the logic
7 book was written in 1880 and we need to throw
8 it away. You know this is just fundamental
9 problem solving if you've ever been to a
10 management class.

11 What it says is you find out what
12 the problems are. You look at the context in
13 which the problems reside and how they may
14 structure the way you are going to solve those
15 problems and then you formulate alternative
16 plans and evaluate those plans against some --
17 for some effects that are specified that
18 usually have to do with the criteria you're
19 going to use to evaluate those, or make
20 choices among those plans. You compare these
21 alternatives according to those effects and
22 you select a recommended plan.

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1 So this is not a very revolutionary
2 part of it. It does presume that you start
3 out without any preconceived notion that
4 anything needs to be done or what needs to be
5 done and you assemble information in a
6 disciplined way to make a decision. That's
7 all this says.

8 So that part of it I think you can
9 expect it will look a lot the same when we get
10 to end of this.

11 There were two manifestations of
12 principles and standards they were called in
13 the first two instances in 1973 in the Nixon
14 Administration, and in 1980 in the Carter
15 Administration. There were two principles and
16 standards that were issued pursuant to the
17 1965 Water Resources Planning Act.

18 And you know there's a long story
19 you could go into about how it got to where it
20 is. But the first two of them had two
21 objectives you know NED, National Economic
22 Development, and EQ, Environmental Quality.

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1 And in the early 80's it was
2 determined about the time that the
3 conversation was already going on about cost
4 sharing that they decided that they would
5 collapse that to one, want to focus on one
6 objective and that would be National Economic
7 Development, unless the Secretary granted an
8 exception to choose some other plan. And it
9 did provide flexibility to formulate plans for
10 other concerns.

11 This is the project selection rule.
12 It just says basically that you pick the plan
13 from among the alternatives that maximizes
14 National Economic Development benefits.

15 The -- of course in it's original
16 application plans wouldn't have been
17 formulated for anything but getting economic
18 benefits as a result of that. That story was
19 put together.

20 Since General Riley mentioned the
21 1986 Act started this along the path of
22 redressing places where ecologies had been

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1 degraded and that one was tied particularly to
2 Corps projects, but as we moved along it was
3 more and more interest in the Corps having a
4 mission that was related to restoring aquatic
5 ecosystems. And so as that came along through
6 the 90's and particularly with the '96 WRDA
7 with a big Everglades provision that set the
8 stage for the Everglades report in '99 and
9 then the authorization in 2000. The Kissimmee
10 was one of those milestones, and this process
11 unfolded and as it did we adapted to that even
12 in the framework that we have in the '90, '83.

13 And the Secretary has granted kind of a
14 blanket exception.

15 This is just a graph to show this
16 is the idea that, you know we give up NED by
17 spending money to invest, to get aquatic
18 outputs, aquatic ecosystem outputs just to
19 sort of notion that the thing would have
20 normally would have run that we were giving
21 up, you know NED where we were producing
22 positive but among these alternatives we were

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1 in the positive -- we probably would have run
2 along one of those axes and forgotten all
3 about EQ, I guess that's what it amounts to.
4 Or we would have tried to mitigate for it to
5 bring it back to that vertical axis.

6 So the Corps has the de facto
7 adopted an ecosystem restoration as an
8 objective. We pursued that objective now.
9 And we modified the '83 plan selection rule
10 that we know how to trade off environment and
11 economics.

12 So let me say briefly the
13 principles and guidelines have I'd say three
14 conceptual parts. One of the principles and
15 statement of the high level values and
16 generally the decision rule about how we
17 select alternatives in pursuit of the
18 objectives or values. And then there's
19 standards, which is the first chapter of
20 guidelines and these standards basically spell
21 out in more detail the pursuit of the
22 objectives, the planning process for doing

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1 that, the formulation of plans. It's
2 basically the planning process in the first
3 chapter of guidelines.

4 And then the balance of guidelines
5 are detailed procedures that have to do with
6 things like how do I measure benefits for
7 inland navigation, or how do I measure
8 benefits for water supply, municipal and
9 industrial water supply, or flood risk
10 management.

11 So our proposal is to take the two
12 most fundamental pieces of this that reflect
13 the values and the process for assembling the
14 information and making the decision, the
15 principles and the standards and to revise
16 those. That will give us some direction about
17 revising -- what we need to focus on in terms
18 of better science and better tools, really
19 procedures are a question not of -- less of
20 values and they're more of a scientific or
21 technical pursuit.

22 So first thing decide what's

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1 important and how you're going to make the
2 decisions about what's important. Principles
3 and standards, and then the next step is to
4 revise the procedures. How we measure
5 contributions to those objectives essentially.

6 So the first part will be revised,
7 the principles and standards. We'll have a
8 draft revision by the end of July, actually
9 should be -- we hope to have one by the end of
10 June, or the first of July. We hope to get
11 there because we're on a fast track. And the
12 NAS panel -- we'll have a NAS panel with
13 Jeffrey Jacobs from the Water Science
14 Technology Board who was here this morning and
15 we're contracting with them to carry out the
16 consultation. Under the WRDA we're required
17 consult with the National Academy of Science
18 and that will be in early August and that will
19 be a place where you can come and participate.

20 And we're scheduled to complete in November.

21 So this is -- there will be more
22 opportunity to have conversations on this and

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1 I'm very accessible. People know where I am,
2 they can find me. If they want to talk about
3 this once we get a draft out there it will be
4 much easier to have something to talk about.

5 And in part two we'll -- you know
6 we're going to have to come up with a plan
7 because that's a fairly extensive set of
8 procedures that need to be revised. So we're
9 going to develop a thoroughgoing literature
10 search and try to discover what we need to do
11 with the scope of work to get that done and we
12 may well have to get some request some
13 appropriations for that.

14 So some of the issues that we have
15 been hearing about in a decade long
16 conversation about Corps reform that we -- the
17 most commonly heard criticism of the
18 principles and guidelines, or they had one
19 objective and that was economics.

20 You can see though that we found a
21 way to adapt the basic planning process, the
22 first problem solving set of steps to

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1 ecosystem restoration. We had found a way to
2 do that.

3 There's also some concern that we
4 need to move toward a more standards based
5 approach to public safety. In other words, if
6 you sort of have public safety that's based on
7 kind of you know trading it off against money,
8 or doing a quasi-economic analysis you know
9 you start to make people's safety depend on
10 where they live. In other words you say you
11 really don't -- you're not -- you know it's
12 kind of hard in a society like this to have
13 public safety that's determined by economic
14 analysis.

15 You might want to have a standard
16 that's nationwide and is equitably applied.
17 And you know when it's done placed based
18 sometimes people with lower incomes don't fare
19 as well as other places.

20 A watershed and systems approach
21 we've been, you know this is something that
22 goes way back in the history of American

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1 natural resources management. Almost to the
2 beginning the conservation movement, the idea
3 that we should manage all of our natural
4 resources in a systems context and in the
5 water case that typically is in the context of
6 watersheds.

7 And you really in this Government
8 and in this fiscal system -- this system of
9 federalism that we have it's pretty difficult
10 to pursue a watershed approach if you don't
11 bring all of the agencies and all the levels
12 of Government into the mix so that you've got
13 all the tools that you need to solve the
14 problem.

15 In other words you know if the
16 Corps does, you know hydro-geomorphic
17 manipulation to recover natural water flows
18 then you need somebody to do the water quality
19 and somebody needs to participate on that
20 basis and someone needs to be responsible for
21 ensuring that there is a meaningfully
22 biological output and when the Corps leads

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1 that that has to be integrated into the
2 decision process even though the Corps may not
3 bring all of the inputs to that process. So
4 there has to be collaboration.

5 So watersheds are really a
6 fundamental idea or notion that you expand the
7 choice set and the ability to optimize and
8 you're able to make better choices. Sort of
9 like the free trade theorem. At any rate, the
10 plans selection rule that we only pick NED
11 plans we'll need to be looking at that issue.

12 And we need to emphasize adaptive management
13 and that's a very disciplined approach to
14 project design and implementation that
15 measures your progress towards goals and with
16 sound science and then adjust the project as
17 you go along and actually can be implementing
18 the project that way. And that's the deal
19 with uncertainty.

20 The point of this slide is to
21 illustrate that what we're heading for is a
22 multiple-objective approach where we

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1 conceivably are planning projects with both
2 economic and environmental outcomes and that
3 we're looking at this, some efficient set of
4 those projects that we have to make those
5 choices along that frontier. That concludes
6 my presentation.

7 I just wanted to point out that Ken
8 Kopocis from the Transportation Committee came
9 back this afternoon too. I didn't mean to
10 leave him out.

11 FACILITATOR APOSTOLICO: We have
12 three speakers. The order they will be going
13 in is Bob Weaver from Kelly and Weaver, Jane
14 Rowan from American Water Resources
15 Association, and Jason Albritton from the
16 Nature Conservancy.

17 MR. WEAVER: Mr. Chairman, my name
18 is Bob Weaver and I appear today on behalf of
19 Lower Platte Natural Resource district in
20 Nebraska.

21 I want to congratulate you Mr.
22 Secretary and General Riley and Director

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1 Stockton for proceeding with this step at this
2 point. And I also want to recognize the
3 devotion and commitment of Larry Prather to
4 this effort and the issues that he identified
5 in his presentation are certainly good issues
6 that should govern or inform this process.

7 The Lower Platte Natural Resource
8 Districts in Nebraska include the Lower Platte
9 South, the Lower Platte North, and the Upaki
10 Missouri River Natural Resource District
11 established under Nebraska law in the 1960's.

12 These sub-states districts provide
13 plain imaginative services for water and other
14 natural resources in the Lower Platte Basin on
15 a collaborative basis and two, a much more
16 detailed extent from the state Government
17 agency of Nebraska.

18 The Lower Platte NRDs have formed
19 the Lower Platte Corridor Alliance with six
20 Nebraska state Government agencies and work
21 closely with local Governments in the Basin to
22 address future water quality and water

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1 quantity needs in the area of expanding
2 populations between Lincoln and Omaha.

3 This region includes ex-urban
4 growth, high agriculture production, and
5 surface and ground water resources serving the
6 most populated part of Nebraska which will
7 soon include approximately half the states
8 population.

9 The Lower Platte NRDs have worked
10 closely and collaboratively with the Corps of
11 Engineers in its Omaha district for many years
12 on three major and several other water
13 resource projects. And I want to recognize
14 the staff and leadership at the Omaha
15 district, particularly that of Ralph Rosa, who
16 has lately retired, and who has guided our
17 efforts and assisted our efforts for many
18 years.

19 The authority that initiated
20 planning for these projects is the Lower
21 Platte River and tributaries program
22 administered by the Corps Omaha district and

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1 was inserted in a resolution by the House
2 Committee, by Congressman Doug Bereuter in the
3 late 80's.

4 The three major projects authorized
5 by the Water Resources Development Act of 2000
6 include the Antelope Creek damage reduction,
7 flood damage reduction project, the Western
8 Clear Creek flood damage reduction project,
9 protecting water resources and infrastructures
10 serving the Lincoln and Omaha region and the
11 Sand Creek environmental restoration project
12 which is restoring wetlands serving the
13 central North American flyway and which also
14 includes flood damage reduction benefits.
15 These are great examples, all of them good
16 examples of multiple purposes.

17 Together these projects have
18 pursued multiple integrative objectives for
19 the watershed including flood damage
20 reduction, protection for public health and
21 safety, and vital public infrastructure. By
22 providing multiple environmental outputs and

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1 economic outputs to the Basin, it's
2 communities, Nebraska and the nation as a
3 whole.

4 These multiple objectives are to be
5 further pursued on a collaborative and systems
6 basis with state agencies, local Governments,
7 and the Corps and other Federal agencies under
8 the Lower Platte River watershed river
9 restoration project established by Congress in
10 WRDA `07.

11 Many changes affecting the nation's
12 water resources have occurred since 1983. As
13 a nation we have experienced expanding
14 population and development. Strong national
15 and international economic activity with
16 associated benefits and externalities.
17 Heightened concerns for environmental
18 qualities and most recently climate change.
19 Demands on agriculture and production, energy
20 challenges, and stronger resource information,
21 science and technologies to make informed
22 decisions. If anything these changes have

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1 only served to heighten the national
2 importance that water provides to American
3 families, to nations, states, communities both
4 urban and rural.

5 All of these changes require the
6 strengthening of the Corps missions and close
7 collaboration with community states which
8 possess fundamental legal authorities of
9 course and sub-state regional agencies and
10 other Federal agencies which possess expertise
11 so vital to informed decision making.

12 Those Federal agencies I'd like to
13 recognize. They include USGS, EPA, Natural
14 Resources Conservation Service, NOAA, and FEMA
15 among others.

16 Congress has established other key
17 water planning authorities. The Federal Clean
18 Water Act provided parallel authority for
19 state and local water quality planning under
20 Sections 303(b) and 208 and the Federal Safe
21 Drinking Water Act includes similar
22 authorities to protect source waters.

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1 These responsibilities have been
2 recognized in interagency agreements such as
3 the one of watershed management between the
4 then Director of Civil Works and the EPA
5 Assistant Administrator for Water. And such
6 agreements should be extended to meet
7 intensifying demands for clean water and
8 should be considered in developing this round
9 of P&Gs.

10 How would the nation do without the
11 Corps and its Federal agency partners.
12 Updated principles and guidelines should
13 strongly speak to collaboration recognizing
14 that collectively the Federal Agency programs
15 can provide major national, local, state
16 benefits for water management.

17 We believe revised principles and
18 guidelines should articulate the following.
19 First, sub-state and state water agency
20 programs must be strengthened and assisted as
21 a central part of the effort to pursue
22 planning to meet national challenges and

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1 demands.

2 This means that the Corps missions
3 should be expanded to include a clear
4 declaration for collaboration and assistance
5 to sub-state and state planning and
6 management. And that this principle should be
7 affirmed beginning with the new P&Gs.

8 Second, planning and management
9 should intensify the use of watersheds of all
10 sizes and include integrations of surface and
11 ground water considerations. while recognizing
12 that the states maintain a critical role for
13 the latter.

14 Nebraska and its natural resource
15 districts have been integrating water research
16 management for ground water and surface water
17 for many years. And the Nebraska legislature
18 has further strengthened this approach in this
19 decade.

20 Third, investments in policy,
21 scientific, technical, and management
22 information must be strengthened by the

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1 Congress and state legislatures and include
2 closer collaboration by Federal agencies and
3 their state, sub-state, and university
4 counterparts.

5 Fourth and last, local Governments,
6 Congress, and the states must prepare to
7 expand investments in water resources and
8 water quality by looking to additional and
9 alternative public revenue sources to provide
10 for the challenges and demands known now and
11 those ahead.

12 Congress has given the Corps wide
13 latitude in Section 2031 to update the
14 principles and guidelines. We urge these
15 values that I've referred to be reflected in
16 the new P&Gs.

17 Many other national studies,
18 agencies, and venues will be considering these
19 challenges in the coming months to which the
20 updated P&Gs can inform and contribute. And
21 that concludes my statement and I'd be glad to
22 respond to any questions. I want to

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1 congratulate you for putting this effort
2 together and moving on it and I hope that you
3 all complete it on your schedule this year,
4 thank you.

5 MS. ROWAN: General Riley and
6 Secretary Woodley, distinguished panelists it
7 is an honor and pleasure to stand before you
8 here today representing nearly 4,000 or more
9 water resources professionals throughout the
10 United States for members of the national and
11 state sections for the American Water
12 Resources Association.

13 There are many voices and we
14 appreciate that you have provided a forum in
15 which to hear the words of the AWRA.

16 As you know besides providing a
17 place for scientists and engineers to discuss
18 cutting edge science engineering technologies
19 and methods for improving benefits of water
20 related projects the American Water Resources
21 Association has provided a forum for water
22 resources policy makers to discuss issues

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1 related to local and state and Federal water
2 policy. We have held free water policy
3 dialogues, the first in September 2002 in
4 Washington, D.C. The second was held in
5 February of 2005 in Tucson, Arizona. And the
6 last dialogue was held in January 2007 in
7 Arlington.

8 And we were pleased to have you in
9 attendance along with a number of scientists,
10 engineers, and policy makers from numerous
11 local state and Federal Government entities.

12 The last dialogue was facilitated
13 and at the end of the two days we produced a
14 coherent strategy that touches many of the
15 subjects addressed in the principles and
16 standards.

17 Although we believed that the
18 principles and standards when initially
19 promulgated were useful standards to follow in
20 the development of water resources projects we
21 believe that our water policy dialogue
22 eliminated several ways in which they might be

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1 enhanced. They are as follows.

2 First, the dialogue attendees
3 agreed that water policy in the United States
4 consist of a mixed and matched set of laws,
5 guidance, regulation, and executive orders
6 overseen by many Government organizations
7 including the Corps. AWRA believes that the
8 nation needs to coalesce these directives into
9 a common but succinct water policy that is
10 applied consistently to all Government
11 organizations and actions so that approaches
12 in strategies will be similar between them.

13 This includes the strategies set forth for the
14 Corps in the current principles and
15 guidelines.

16 Secondly, we suggest that there be
17 improved collaboration not just coordination
18 between the local, state, and Federal
19 Governments when considering water projects.
20 We believe this approach will save time and
21 resources in the long run.

22 Needed information related to a

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1 particular project or watershed can be
2 obtained by agencies if they are stored in a
3 common location. Those governmental bodies
4 that may have funded, participated in, or
5 completed studies within a watershed
6 previously will be able to share their
7 knowledge.

8 Finally, concerns related to
9 impacts can be discovered early on when the
10 design strategy can be easily revised to
11 compensate for identified impacts or to plan
12 in environmental benefits.

13 Thirdly, the dialogue identified
14 the efficacy of basing decisions on a good
15 science rather than only a political economic
16 basis. Critical issues related to the
17 environment like endangered species, historic
18 archeological resources, essential habitats or
19 unique natural communities can be identified
20 early on in project planning in order to avoid
21 sites where lengthy environmental coordination
22 will be required.

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1 Building an environmental component
2 into a project, encountering environmental
3 cost, using a solid scientific basis would
4 provide more unbiased result.

5 Fourth, integrated water resources
6 management approaches to water related
7 projects will have a higher likelihood of
8 achieving a balanced sustainable multi-
9 objective watershed based solution. Although
10 state boundaries account for the jurisdiction
11 of many state and local Government entities
12 the natural world is divided into water sheds.

13 Impacts to water within watersheds do not
14 disappear at the state or municipal
15 boundaries. Therefore we suggest that the
16 principles and guidelines emphasize the
17 importance of the multifaceted characteristics
18 of the watershed and to include an assessment
19 of impacts and benefits on a watershed basis,
20 both water quality and water quantity and
21 account for both surface and ground water
22 impacts.

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1 Finally, we suggest that in the
2 economic analysis that the principles and
3 guidelines account for positive environmental
4 impacts that may result from a water project
5 development even if they cannot be stated in
6 economic terms.

7 Numerous benefits can be
8 consciously built into a water project if the
9 opportunity to do so is provided early on in
10 planning preliminary designs stages. AWRA
11 recognizes that a project viewed holistically
12 will most assuredly include environmental
13 benefits when possible.

14 Secretary Woodley and General, we
15 sent the results of our most recent dialogues
16 to key members of the Congress, all the
17 Governors, and to the President. You probably
18 know that. We have received few responses and
19 have been disappointed with the lack of
20 interest. The need is great and the hour is
21 late. We believe those present at our
22 dialogues represent some of the most informed

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1 minds in the water resources community. We
2 respectfully request that you consider the
3 attached, and I did attach some comments, the
4 results of the dialogue to my written
5 comments, from these dialogues in the conduct
6 of your rewrite. And as always we stand ready
7 to assist you, the Corps, and anyone else who
8 may ask us in any way that we can and continue
9 to appreciate how you have supported AWRA.
10 And that concludes my statement, thank you.

11 MR. ALBRITTON: Good Afternoon. It
12 is good see all of you. I'm Jason Albritton,
13 Senior Policy Advisor for Water Resources with
14 The Nature Conservancy here in Arlington,
15 Virginia.

16 I appreciate the opportunity to
17 come here and talk about this revision to the
18 economic environmental principles and
19 guidelines as required by WRDA 2007.

20 As The Nature Conservancy has
21 increased our engagement in a variety of
22 restoration projects the Corps of Engineers

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1 has become a very important conservation
2 partner for us. Together the Conservancy and
3 the Corps are working on a variety of projects
4 ranging from large scale efforts in the Upper
5 Mississippi River and Everglades to smaller
6 projects under continuing authority programs.

7 The comments I provide today under
8 the revisions of the principles and guidelines
9 are drawn from our experience working on the
10 ground with the Corps and are intended to help
11 the Corps and other agencies to more
12 effectively and efficiently manage water
13 resources while meeting some of the nation's
14 most challenging environmental problems.

15 In addition to my oral statement
16 today I've provided written comments which
17 I'll refer you to which provide much more
18 detailed recommendations that I'll get into
19 here.

20 I would also note that our comments
21 go a bit beyond recommendation son just the
22 principles and standards which are the subject

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1 of today's first phase because many of the
2 issues we raised apply broadly across the
3 principles and the guidelines for implementing
4 them.

5 Also before delving into some
6 specific recommendations on the current
7 principles and guidelines I would like to
8 highlight the need for the analytical,
9 integrative, and inclusive revision process
10 which I think this is a good first step
11 towards achieving.

12 We believe this update provides an
13 unparalleled opportunity to ensure long term
14 sustainability and viability of water
15 resources in the U.S. and we strongly
16 recommend that the revision be accomplished in
17 a way that ensures the end product reflects
18 the nation's water resource priorities and
19 effectively guides Federal agencies towards
20 meeting those priorities. Also given
21 the complex and critical nature of this update
22 we recommend the revision process would

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1 accomplish a couple of things. First we hope
2 that it would continue to provide multiple
3 opportunities for public comment and a time
4 line that allows meaningful integration of
5 that comment. It includes comprehensive
6 integration of the expertise of other Federal
7 agencies. It's thoroughly informed by
8 research that assesses the current state of
9 our nation's waters resources. And it clearly
10 synthesizes the strengths and weaknesses of
11 the current principles and guidelines so we
12 have a foundation to build on in revising.
13 And then lastly, that it looks at future
14 trends so we know that the principles and
15 guidelines updates will be responsive to
16 future needs.

17 We believe this deliberative
18 approach is very consistent with past efforts
19 at crafting national water policy and then we
20 hope a similar process will be used moving
21 forward.

22 To move on to some specific

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1 recommendations. We believe the ultimate goal
2 of this update should be to move away from a
3 water resource policy. Focus primarily on
4 economic development and to a more
5 comprehensive approach that seeks to balance
6 multiple watershed needs.

7 We believe this revision should set
8 clear policy goals based on the useful policy
9 framework that was provided in Section 2031(a)
10 of WRDA 2007.

11 This three-pronged policy, which
12 places equal emphasis on sustainable economic
13 development, minimizing the unwise use of
14 flood plains, and protecting and restoring
15 natural systems should be explicitly reflected
16 in the revised principles and should guide the
17 analysis of all water resource projects.

18 All of the other issues I will
19 discuss build on this theme of creating a more
20 balanced water resource policy.

21 First, the principles and
22 guidelines we think must better address

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1 protection and restoration of aquatic
2 ecosystems. The past century has witnesses a
3 precipitous decline in the ecological health
4 of many of our nation's rivers and streams.
5 Much of this decline is the unintended
6 consequence of Federal water development
7 projects that provided many important human
8 benefits such as flood control, water supply,
9 hydro-power, and irrigation.

10 Recognizing these impacts over
11 decades of water resource development we
12 believe it's now time to update the planning
13 process to place ecosystem protection on par
14 with economic development when evaluating and
15 implementing new projects.

16 Under the current principles and
17 guidelines maximizing national economic
18 development which only accounts for a narrow
19 subset of a projects full economic benefits
20 and cost has become a primary standard for
21 evaluating water resource projects.

22 We believe the P&Gs should be

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1 revised to apply more comprehensive analysis
2 of project benefits and cost by first
3 incorporating a broader array of economic
4 values into the NED account including monetary
5 values of services provided by ecosystems such
6 as flood attenuation, water quality
7 filtration, and fisheries production.

8 In addition, other accounts that
9 include non-monetary project benefits should
10 receive the same weight as the NED in project
11 planning and prioritization.

12 Also, as we become more aware of
13 the ecological impacts of water resource
14 development as well as the benefits that
15 healthy ecosystems provide we believe it's
16 important to ensure that projects that meet
17 both human needs and restore ecosystems become
18 the norm rather than the exception.

19 Currently these multiple purposed
20 projects, which I believe Larry alluded to in
21 his presentation, are often pigeon-holed into
22 a single project purpose so they can be

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1 compared with other projects of the same type.

2 We believe that kind of comparison ignores
3 many of the project benefits and results in
4 the multiple purposed projects not competing
5 as well in the process for allocating limited
6 Federal dollars.

7 So to remedy this problem we
8 believe that revision should make explicit
9 that a project should be evaluated on its full
10 benefits and cost and not forced comparison
11 solely on a single project purpose.

12 The principles and guidelines we
13 believe should also be updated to provide
14 incentives for non-structural approaches to
15 water resource projects such as flood plain
16 and coastal restoration, land buyouts to
17 remove vulnerable structures, and measures to
18 prevent inappropriate development.

19 These measures can often be the
20 most effective solution for reducing flood
21 risk and controlling coastal erosion and
22 generally have numerous advantages over some

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1 structural approaches.

2 In particular, non-structural
3 approaches have less long term cost, less
4 residual risk, and are generally more
5 compatible with environmental protection and
6 can even be an important strategy for
7 ecosystem restoration.

8 Unfortunately these approaches are
9 rarely used. The principles and guidelines do
10 not currently provide any incentives for non-
11 structural approaches. So to improve the use
12 of non-structural approaches we suggest that
13 the revision to the principles and guidelines
14 should state a clear preference for non-
15 structural approaches by requiring that these
16 are considered first with structural
17 alternatives being considered if a non-
18 structural approach is not feasible.

19 We also believe broadening the
20 focus of the NED analysis as I discussed
21 earlier will help ensure more accurate
22 representation of the long term project cost

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1 and will help ensure non-structural approaches
2 will be used where possible.

3 Another important concept that we
4 believe should be incorporated into this
5 update is a watershed approach, which I've
6 heard many of you comment on.

7 Planners must be able to balance
8 disparate interests such as navigation, flood
9 risk management, water supply, and restoration
10 and protection of the environment in the
11 planning for all projects. A watershed
12 approach should involve a consultation of
13 existing watershed water data and plans and
14 analysis of how a project meets or is
15 consistent with broader watershed goals and
16 engagement of other Federal and state agencies
17 and outside stakeholders.

18 Lastly, we believe this update
19 should incorporate principles of adaptive
20 management into the principles and guidelines.

21 Despite the best planning and modeling
22 management of water resource projects needs to

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1 be periodically updated based on new
2 information, understanding, and circumstances.

3 Adaptive management will be
4 increasingly important with climate change
5 which has already begun to influence weather
6 and stream flow patterns and is calling into
7 question many based assumptions about future
8 project conditions.

9 Therefore, we recommend this update
10 create mechanisms in the principles and
11 guidelines to enable efficient adjustments to
12 water resource projects to adapt to changing
13 conditions and further we believe that all
14 projects should include an analysis and
15 appropriate scales to gauge the potential
16 impacts of climate change on water resource
17 goals.

18 In closing, The Nature Conservancy
19 believes that this update is critical to
20 improving the planning and implementation of
21 water resource projects for the coming decades
22 and provides an important opportunity to build

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1 on lessons learned in river basin management,
2 flood risk reduction, and ecosystem
3 restoration.

4 We urge the Corps to ensure that
5 the update sets the policy necessary to
6 balance multiple needs in our watersheds and
7 to take a more holistic approach to water
8 resources. We look forward to continuing to
9 work with you as this process moves forward
10 and thank you for the time to comment today.

11 FACILITATOR APOSTOLICO: Before I
12 open the phone lines because I think there's a
13 few people on the phone now. Is there anyone
14 here who wanted to make comment that didn't
15 get a chance to yet?

16 (No audible response.)

17 FACILITATOR APOSTOLICO: No --

18 MR. PRATHER: Mary, I just wanted
19 to recognize Ted Ilston from the Water
20 Resources and Environment Subcommittee of the
21 House Transportation Committee. Apparently I
22 overlooked you Ted, I'm sorry. The first time

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1 -- I don't know there's a light right there
2 and I can't -- I'm getting old Ted, you know.

3 I'm glad you're here. I know you came late,
4 you were also here this morning and you had --
5 you were here early I think and I didn't get
6 to recognize you, but I'm glad you're here.

7 FACILITATOR APOSTOLICO: I'm going
8 to ask the phone if there's anyone on the
9 phone if you could open the phone lines
10 Elizabeth. We have a monitor on the phone
11 helping us on the teleconference.

12 Could you let me know if there is
13 anybody who'd like to speak?

14 OPERATOR: Yes there is someone
15 that would like to speak. Please go ahead
16 you're phone line is open.

17 FACILITATOR APOSTOLICO: Could you
18 please identify who you are and if you are
19 representing an agency?

20 MS. SAMET: Yes, my name is Melissa
21 Samet, I'm the Senior Director of Water
22 Resources for American Rivers. We're a not-

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1 for-profit conservation organization that has
2 worked for years in reviewing, analyzing, and
3 attempting to approve Corps projects and
4 policies. We also sit as the co-chair for the
5 National Corps Reform Network and through that
6 network have extensive experience to Corps
7 projects nationwide.

8 David Conrad as I understand it has
9 already presented some of the information that
10 we have provided in our written and detailed
11 comments. But I did just want to highlight
12 one very important issue that I think is
13 essential in addition to the many other issues
14 that have been raised in the detailed
15 comments.

16 American Rivers does believe that
17 the nation requires fundamentally new approach
18 to water resources project planning. One that
19 places the primary emphasis of project
20 planning on protecting and restoring the
21 nations water resources.

22 For decades investment in water

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1 resources has been directed to fuel economic
2 development. And while that has brought
3 positive gains to the nation the impact on our
4 rivers, streams, and wetlands has been dire.

5 And as the nation continues to
6 experience the changes from global climate
7 change the needs to protect our limited and
8 already degraded resources is going to become
9 increasingly important.

10 I would like to just highlight one
11 of the things that I think is fundamental to
12 revising the principles and guidelines and
13 that is ensuring that non-structural
14 approaches are in fact utilized whenever they
15 can be. This is something that the Corps does
16 look at but rarely implements, at least from
17 our experience in reviewing Corps projects.

18 I think that more needs to happen
19 than just to calculate benefits and costs of
20 non-structural, but that what the country
21 actually needs is a principle that says if you
22 can address the problem with a non-structural

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1 approach then that is the way it should be
2 carried out. And then only to the extent that
3 the problem can't be addressed through non-
4 structural should be invest in other
5 approaches to addressing a problem that will
6 have an adverse impact on the nation's
7 resources.

8 And we have many other issues that
9 we think are extremely important to include in
10 the revisions to the principles and
11 guidelines, but I do think that a focus on
12 non-structural and developing that in a way
13 that actually drives the use of non-structural
14 doesn't just allow it to sit out there to be
15 selected amongst one of many, it's something
16 that's going to be critical to moving the
17 Corps in the direction where the nation needs
18 it to be. And that's in a direction where you
19 are truly protecting and restoring the
20 nation's water resources.

21 That was just the one issue that I
22 wanted to highlight and I very much appreciate

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1 the opportunity to present that to you today.

2 SECRETARY WOODLEY: Thank you very
3 much.

4 FACILITATOR APOSTOLICO: Thank you.
5 Is there anyone else on the phone that would
6 like to make a comment today?

7 (No audible response.)

8 FACILITATOR APOSTOLICO: I guess
9 not. With that I think I will turn it over to
10 you Secretary Woodley to make some final
11 remarks.

12 SECRETARY WOODLEY: Thank you,
13 Mary. I want to first of all say that when we
14 were -- when I first envisioned what the kind
15 of thing I would want to -- the opportunity I
16 would like to have and the benefits that I
17 would gain from it from having a public
18 meeting and opportunity for really any
19 interested person to come forward and express
20 their views and have input on this process I
21 was hoping that I would have, that we would
22 attract the kind of thoughtful and detailed

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1 and very specific and reasoned comments that
2 we have had today.

3 So I want to say that my every
4 expectation that I had for having this forum
5 as an opportunity for me to just once again
6 immerse myself in these concepts and just
7 learn from all of you has been fully realized.

8 And I am as profoundly grateful as I can be.

9 Thank everyone of the commenters
10 and everyone who has been here. I want to
11 stress that this is not the end of the
12 process, this is the beginning of a process
13 and there will be many subsequent
14 opportunities for detailed engagement as we
15 try to work within ourselves, within our
16 agency, together with our Federal partners and
17 the other -- at the National Academy and the
18 other people that are identified in our
19 statutory mandate to realize the vision that
20 Congress had when they placed this requirement
21 upon us in November of last year that we will
22 have many, many more opportunities for the,

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1 you know precise details of how these
2 revisions can embody as many as possible of
3 the comments and suggestions that we have
4 received today.

5 So I encourage everyone to continue
6 to pay attention to the effort that's ongoing
7 and to take -- you know lose no opportunity to
8 intervene at any point at which you believe
9 that that intervention can be constructive and
10 helpful to the process. Thank you very much.

11 FACILITATOR APOSTOLICO: Do any
12 other panel members want to make a remark?

13 (No audible response.)

14 FACILITATOR APOSTOLICO: Okay, yes
15 I'd like to thank you all again for making
16 this meeting run so smoothly and I wanted to
17 thank on behalf of everyone here, the panel
18 for taking the time out and the Federal
19 agencies that came and, again thanking the
20 community for coming out and providing your
21 input.

22 (Whereupon, the meeting was

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1 concluded at 2:00 p.m.)

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